

THURSDAY, MARCH 16, 2023

FIFTEENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Sexton.

The proceedings were opened with prayer by Rep. Alexander.

Representative Alexander led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 91

Representatives present were Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, Garrett, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton -- 91

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Keisling; illness

Representative Powell; personal

Representative Farmer

Representative Haston; business

Representative Glynn; personal

Representative Gillespie

PRESENT IN CHAMBER

Rep. Campbell was recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 35 Reps. Raper, Eldridge, Powers, Hardaway, Vital, Fritts, Crawford, Littleton, McCalmon, Doggett and Richey as prime sponsors.

House Joint Resolution No. 112 Rep. T. Hicks as prime sponsor.

House Joint Resolution No. 113 Rep. McCalmon as prime sponsor.

House Joint Resolution No. 303 Reps. Cochran and Slater as prime sponsors.

House Joint Resolution No. 304 Reps. Cochran and Slater as prime sponsors.

House Joint Resolution No. 414 Rep. Vital as prime sponsor.

House Bill No. 68 Rep. Hakeem as prime sponsor.

House Bill No. 74 Reps. Eldridge and Jernigan as prime sponsors.

House Bill No. 87 Rep Ragan as prime sponsor.

House Bill No. 92 Rep. Harris as prime sponsor.

House Bill No. 144 Reps. Gant, Wright, Ragan, Eldridge and Todd as prime sponsors.

House Bill No. 150 Rep. G. Martin as prime sponsor.

House Bill No. 154 Reps. Williams, Freeman, Boyd, Zachary, Vaughan and Vital as prime sponsors.

House Bill No. 158 Rep. Bulso as prime sponsor.

House Bill No. 170 Reps. Lamberth, Butler, B. Martin, Terry, Carringer, Keisling, Darby and Powers as prime sponsors.

House Bill No. 209 Reps. Hardaway and Crawford as prime sponsors.

House Bill No. 242 Reps. Alexander and Carr as prime sponsors.

House Bill No. 322 Rep. Gant as prime sponsor.

House Bill No. 329 Rep. Kumar as prime sponsor.

House Bill No. 337 Rep. Beck as prime sponsor.

House Bill No. 366 Rep. Hardaway as prime sponsor.

House Bill No. 373 Reps. Freeman, Gant, Vaughan and Faison as prime sponsors.

House Bill No. 402 Rep. Whitson as prime sponsor.

House Bill No. 403 Rep. Davis as prime sponsor.

House Bill No. 410 Rep. Davis as prime sponsor.

House Bill No. 418 Reps. Russell and Fritts as prime sponsors.

House Bill No. 432 Rep. Slater as prime sponsor.

House Bill No. 433 Rep. Helton-Haynes as prime sponsor.

House Bill No. 447 Rep. Harris as prime sponsor.

House Bill No. 471 Rep. Lamberth as prime sponsor.

House Bill No. 495 Reps. Towns, Hardaway, Helton-Haynes, Todd, Howell, Whitson and Beck as prime sponsors.

House Bill No. 498 Rep. Freeman as prime sponsor.

House Bill No. 505 Rep. Todd as First prime sponsor.

House Bill No. 526 Reps. Gant and Moody as prime sponsors.

House Bill No. 623 Reps. Thompson and Helton-Haynes as prime sponsors.

House Bill No. 713 Rep. Burkhardt as prime sponsor.

House Bill No. 726 Rep. Sherrell as prime sponsor.

House Bill No. 758 Reps. Littleton and Todd as prime sponsors.

House Bill No. 772 Rep. Rudd as prime sponsor.

House Bill No. 785 Rep. Hawk as prime sponsor.

House Bill No. 793 Rep. Whitson as prime sponsor.

House Bill No. 805 Reps. G. Martin, Raper, Russell, Wright, Slater, Todd, Hale, Eldridge, Moody, Littleton, Davis, Howell, Cepicky, Garrett, Clemmons and Powers as prime sponsors.

House Bill No. 806 Reps. Towns, Hardaway, Moody, Howell, Carringer, Sherrell and Russell as prime sponsors.

House Bill No. 908 Reps. Jernigan and Sparks as prime sponsors.

House Bill No. 994 Rep. Davis as prime sponsor.

House Bill No. 996 Rep. Baum as First prime sponsor.

House Bill No. 1005 Reps. Slater, Hawk, B. Martin and Sexton as prime sponsors.

House Bill No. 1010 Rep. Reedy as prime sponsor.

House Bill No. 1019 Reps. Richey, Hawk, Warner, Faison, Butler and Barrett as prime sponsors.

House Bill No. 1029 Rep. Gillespie as prime sponsor.

House Bill No. 1035 Reps. Clemmons, Beck, Hemmer, Mitchell, Glynn, Jernigan and Pearson as prime sponsors.

House Bill No. 1044 Rep. Davis as prime sponsor.

House Bill No. 1079 Rep. Rudder as prime sponsor.

House Bill No. 1085 Reps. White, Camper, Harris and Gant as prime sponsors.

House Bill No. 1129 Reps. Gillespie, White, Harris and Chism as prime sponsors.

House Bill No. 1176 Rep. McCalmon as prime sponsor.

House Bill No. 1187 Reps. Kumar and Reedy as prime sponsors.

House Bill No. 1270 Rep. Farmer as prime sponsor.

House Bill No. 1286 Reps. Lafferty, Hawk, Davis and Vital as prime sponsors.

House Bill No. 1342 Reps. Hardaway, Zachary, Russell, Gant, Ragan, Moody, Helton-Haynes, Littleton, T. Hicks, Williams, B. Martin, Grills, Garrett, Powers, Cepicky, Howell and Todd as prime sponsors.

House Bill No. 1373 Rep. Farmer as prime sponsor.

House Bill No. 1475 Reps. Hardaway and Towns as prime sponsors.

House Bill No. 1481 Rep. Butler as prime sponsor.

House Bill No. 1482 Reps. Sherrell, Russell and Carringer as prime sponsors.

SPONSORS WITHDRAWN

On Motion, Rep. Wright withdrew as sponsor of **House Bill No. 394**.

On Motion, Rep. Moon withdrew as sponsor of **House Bill No. 772**.

On Motion, Rep. Cochran withdrew as sponsor of **House Bill No. 1270**.

MESSAGE FROM THE GOVERNOR
March 14, 2023

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution No. 317; with his approval.

ERIN MERRICK, Chief Counsel to the Governor

MESSAGE FROM THE SENATE
March 14, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 31, 130, 131, 132, 133, 139, 142, 147, 171, 214, 215, 216, 217 and 297; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 31** -- Naming and Designating - Designates the City of Friendsville as the Pink Marble Capital of Tennessee. by *Swann.

***Senate Joint Resolution No. 130** -- General Assembly, Confirmation of Appointment - Katherine Cannata, Austin Peay State University Board of Trustees. by *Johnson, *Powers.

***Senate Joint Resolution No. 131** -- General Assembly, Confirmation of Appointment - Mike O'Malley, Austin Peay State University Board of Trustees. by *Johnson, *Powers.

***Senate Joint Resolution No. 132** -- General Assembly, Confirmation of Appointment - Ron Ramsey, East Tennessee State University Board of Trustees. by *Johnson, *Powers.

***Senate Joint Resolution No. 133** -- General Assembly, Confirmation of Appointment - Melissa Steagall-Jones, East Tennessee State University Board of Trustees. by *Johnson.

***Senate Joint Resolution No. 139** -- General Assembly, Confirmation of Appointment - David McKinney, University of Memphis Board of Trustees. by *Johnson, *Akbari.

***Senate Joint Resolution No. 142** -- General Assembly, Confirmation of Appointment - Natalie Tate, University of Tennessee Health Science Center Advisory Board. by *Johnson, *Reeves.

***Senate Joint Resolution No. 147** -- General Assembly, Confirmation of Appointment - Daniel French, State Textbook and Instructional Materials Quality Commission. by *Johnson.

***Senate Joint Resolution No. 171** -- General Assembly, Confirmation of Appointment - Hal Bynum, University of Tennessee at Martin Advisory Board. by *Johnson.

THURSDAY, MARCH 16, 2023 – FIFTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Joint Resolution No. 214** -- General Assembly, Confirmation of Appointment - Dr. Chad Lewis, Standards Recommendation Committee for Science and Social Studies. by *Johnson.

***Senate Joint Resolution No. 215** -- General Assembly, Confirmation of Appointment - Stephen Powell, Standards Recommendation Committee for Science and Social Studies. by *Johnson.

***Senate Joint Resolution No. 216** -- General Assembly, Confirmation of Appointment - Ashley Flood, Standards Recommendation Committee for Science and Social Studies. by *Johnson.

***Senate Joint Resolution No. 217** -- General Assembly, Confirmation of Appointment - Linda Moss Mines, Standards Recommendation Committee for Science and Social Studies. by *Johnson, *Gardenhire, *Watson.

***Senate Joint Resolution No. 297** -- Memorials, Professional Achievement - John K. Alley, Jr., 2022 Assessor of the Year. by *McNally.

**MESSAGE FROM THE SENATE
March 14, 2023**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 346, 382, 464, 504, 505, 533, 555, 568, 589, 600, 618, 675, 746, 928, 955, 975, 1034, 1214, 1307, 1434 and 1440; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 346** -- Election Laws - As introduced, requires each high school to inform each high school senior that upon reaching the age of 18 the student may be eligible to vote and provide information from the secretary of state about voter eligibility and how to register to vote. - Amends TCA Title 2 and Title 49. by *Campbell, *Briggs, *Yarbro, *Akbari, *Lamar. (HB933 by *McKenzie)

***Senate Bill No. 382** -- Local Education Agencies - As introduced, deletes the provision repealing the Virtual Public Schools Act on June 30, 2023. - Amends TCA Section 49-16-216. by *Niceley. (HB678 by *Powers)

Senate Bill No. 464 -- Parks, Natural Areas Preservation - As introduced, designates a segment of the Duck River in Maury County as a Class II scenic river; requires permitting of certain water resource projects in Class II scenic river areas, subject to rules promulgated by the commissioner of environment and conservation. - Amends TCA Title 11, Chapter 13; Title 64, Chapter 1, Part 6 and Title 68, Chapter 211. by *Hensley, *Campbell, *Yarbro. (*HB447 by *Cepicky, *Whitson, *Jernigan, *Vital, *Capley, *Haston, *Harris)

***Senate Bill No. 504** -- Consumer Protection - As introduced, prohibits an individual or entity from selling, offering for sale, or providing an air ambulance membership agreement to an individual who is enrolled in TennCare; requires an individual or entity that provides an air ambulance membership agreement to an individual who subsequently enrolls in TennCare to provide the enrollee with a pro-rated refund of consideration paid for the membership; adds

other related prohibitions, requirements, and penalties. - Amends TCA Title 47, Chapter 18; Title 56 and Title 71. by *Powers. (HB633 by *Darby)

Senate Bill No. 505 -- Traffic Safety - As introduced, authorizes the legislative body of a municipality to establish the fine for speeding within a residential zone within its jurisdictional boundaries at \$200. - Amends TCA Title 5; Title 6; Title 7 and Title 55, Chapter 8. by *Powers. (*HB410 by *Johnson C, *Davis)

***Senate Bill No. 533** -- State Employees - As introduced, authorizes the grant of sick leave from a sick leave bank to a state employee to care for a sick child of the employee. - Amends TCA Title 8, Chapter 50, Part 8; Title 8, Chapter 50, Part 9 and Title 49, Chapter 5, Part 8. by *Haile, *Crowe, *Lowe, *Massey, *Reeves, *Kyle, *Yarbro, *Jackson, *Lamar, *Rose, *Walley, *White, *Yager. (HB1151 by *White, *Harris, *Helton-Haynes, *Jernigan, *Bulso, *Hakeem)

Senate Bill No. 555 -- Regional Authorities and Special Districts - As introduced, expands the types of projects that may be funded under the Tourism Development Authority Act; clarifies the sources of revenue to fund such projects; excludes ad valorem real property taxes from such sources of revenue that are available to fund projects under the Act. - Amends TCA Title 7, Chapter 69. by *Powers, *Yarbro. (*HB491 by *Johnson C)

Senate Bill No. 568 -- Divorce, Annulment and Alimony - As introduced, allows a court in a divorce or annulment action to provide for the ownership or joint ownership of any pet or companion animal owned by the parties, taking into consideration the well-being of the animal. - Amends TCA Title 36, Chapter 4. by *Yarbro, *Akbari. (*HB467 by *Hemmer)

Senate Bill No. 589 -- Traffic Safety - As introduced, enacts the "Eddie Conrad Act," which establishes the number of points to be charged to a person's driving record for violations of driving while using a wireless telecommunications device. - Amends TCA Section 55-8-199. by *Pody, *Bowling, *Powers, *Rose. (*HB485 by *Boyd)

Senate Bill No. 600 -- Local Government, General - As introduced, prohibits local governments from expending funds for the purposes of assisting a person in obtaining an abortion. - Amends TCA Title 5; Title 6; Title 7 and Title 8. by *Hensley, *Bowling, *Rose, *Stevens, *Jackson, *Pody. (*HB90 by *Moody, *Lamberth, *Bulso, *Leatherwood, *Fritts, *Raper, *Cepicky, *Martin G)

***Senate Bill No. 618** -- Civil Procedure - As introduced, permits the use of a person's full social security number; taxpayer identification number; birth date; name, if the person is a minor; or financial account number in court filings regarding parenting plans. - Amends TCA Title 20, Chapter 6. by *Yarbro, *Akbari. (HB985 by *Beck)

Senate Bill No. 675 -- Drugs, Prescription - As introduced, makes various changes to the prescription drug donation repository program operated by the department of health. - Amends TCA Title 56; Title 63 and Title 68. by *Reeves. (*HB667 by *Hicks T)

***Senate Bill No. 746** -- Motor Vehicles - As introduced, authorizes the sale or purchase of previously titled antique or unique motor vehicles without a motor vehicle dealer license

through auction formats that meet certain criteria. - Amends TCA Title 55, Chapter 17 and Title 62, Chapter 19. by *Gardenhire, *Lowe. (HB881 by *Martin G)

Senate Bill No. 928 -- Real Property - As introduced, requires that plane coordinate values for a point on the Earth's surface, used to express the geographic position or location of the point, be expressed in international feet instead of United States survey feet. - Amends TCA Section 66-6-102. by *Taylor. (*HB853 by *Leatherwood)

***Senate Bill No. 955** -- Public Funds and Financing - As introduced, authorizes the state treasurer, with the approval of the attorney general and reporter, to contract with additional legal counsel, who must be paid compensation for services as the treasurer may deem just, to advise on issues concerning the state treasurer's fiduciary obligations and responsibilities, including the investment, reinvestment, management, and selection of investment options for program assets. - Amends TCA Title 9, Chapter 4. by *Johnson, *Walley, *White, *Yager, *Bailey, *Bowling, *Crowe, *Gardenhire, *Niceley, *Reeves, *Rose, *Stevens, *Taylor. (HB1286 by *Zachary, *Terry, *Lafferty, *Hawk, *Davis, *Vital)

Senate Bill No. 975 -- Utilities, Utility Districts - As introduced, revises provisions relating to contracts executed for purchases, services, and leases by the president of a municipal energy authority or the superintendent of a municipal electric plant. - Amends TCA Title 7, Chapter 34; Title 7, Chapter 36; Title 7, Chapter 52 and Title 12. by *Powers, *Bowling. (*HB921 by *Marsh)

***Senate Bill No. 1034** -- County Officers - As introduced, clarifies the actions a county mayor must take in relation to the performance bond required before entering upon the discharge of the mayor's duties. - Amends TCA Title 5; Title 8; Title 9; Title 18; Title 54 and Title 67. by *Johnson, *Yager, *Bowling. (HB1134 by *McCalmon, *Bulso, *Whitson, *Warner)

Senate Bill No. 1214 -- Alcoholic Beverages - As introduced, clarifies which jurisdictions are eligible to hold a referendum to authorize the sale of wine in retail food stores. - Amends TCA Title 57, Chapter 3, Part 8. by *White. (*HB1089 by *Stevens)

Senate Bill No. 1307 -- Conservation - As introduced, authorizes expenditures from the 1986 wetland acquisition fund to acquire forest tracts within Cumberland County adjacent to Catoosa Wildlife Management Area known as the "Oakley Tract(s)," including lands adjacent thereto. - Amends TCA Title 11, Chapter 14, Part 4 and Title 67, Chapter 4. by *Bailey. (*HB1026 by *Butler, *Sexton)

Senate Bill No. 1434 -- School Transportation - As introduced, allows school bus drivers to use a portable electronic device for navigation of the school bus through use of the device's global positioning system if no hands are used to hold the device or to enter data into the device while the school bus is in motion; the device is mounted on the school bus's windshield, dashboard, or center console area; and the driver views only data related to the navigation of the bus. - Amends TCA Title 49 and Title 55. by *Roberts, *Bowling. (*HB1321 by *Helton-Haynes)

Senate Bill No. 1440 -- Statutes and Codification - As introduced, adds "sex" as a defined term for statutory construction purposes. - Amends TCA Title 1, Chapter 3 and Title 49,

Chapter 2, Part 8. by *Roberts, *Bowling, *Stevens. (*HB239 by *Bulso, *Lamberth, *Farmer, *Capley, *Grills, *Barrett, *Kumar)

**ENROLLED BILLS
March 14, 2023**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 33 and 36; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
March 14, 2023**

The Speaker announced that he had signed the following: House Resolutions Nos. 33 and 36.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
March 14, 2023**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No. 370; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
March 14, 2023**

The Speaker announced that he had signed the following: House Joint Resolution No. 370.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
March 14, 2023**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 5, 44, 145, 174, 187, 221, 288, 289, 340, 356, 411, 452, 557, 577, 752, 1164, 1437, 1531, 1532, 1547 and 1548; House Joint Resolutions Nos. 19, 95, 387, 388, 389, 390, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409 and 410;

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE GOVERNOR
March 14, 2023

MR. SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 199, 200, 214, 222 and 450; House Joint Resolutions Nos. 87, 128, 188, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216 and 217; with his approval.

ERIN MERRICK, Chief Counsel to the Governor

MESSAGE FROM THE SENATE
March 14, 2023

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 370; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
March 14, 2023

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 124, 328, 329, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 353, 354, 355, 356, 357 and 358; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
March 14, 2023

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 39, 291, 353, 724, 1120, 1212 and 1479; substituted for Senate Bills on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
March 14, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 29, 32, 38, 39, 41, 42, 46, 49, 54, 63, 65, 66, 126, 146, 244, 261, 271, 315, 334, 402, 450, 454, 577, 578, 679, 731, 759, 786, 874, 925, 984, 1174, 1225 and 1297; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 14, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 66, 67, 68, 69, 125, 136, 137, 140, 141, 153, 166, 167, 168, 169, 170, 173, 237, 238, 239, 263, 271, 272, 274, 275, 276, 279, 280, 281, 282, 283, 284, 286, 287, 289, 292, 293, 294, 295 and 296; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

ENROLLED BILLS

March 15, 2023

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 39, 291, 353, 724, 1120, 1212 and 1479; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

SIGNED

March 15, 2023

The Speaker announced that he had signed the following: House Bills Nos. 39, 291, 353, 724, 808, 1120, 1212 and 1479.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

March 15, 2023

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 39, 291, 353, 724, 808, 1120, 1212 and 1479; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

March 15, 2023

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 66, 67, 68, 69, 125, 136, 137, 140, 141, 153, 166, 167, 168, 169, 170, 173, 237, 238, 239, 163, 271, 272, 274, 275, 276, 279, 280, 281, 282, 283, 284, 286, 287, 289, 292, 293, 294, 295 and 296.

TAMMY LETZLER, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
March 15, 2023**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 39, 291, 353, 724, 808, 1120, 1212 and 1479; House Joint Resolution No. 370; for his action.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
March 15, 2023**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 124, 328, 329, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 353, 354, 355, 356, 357 and 358; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
March 15, 2023**

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 124, 328, 329, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 353, 354, 355, 356, 357 and 358.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 15, 2023**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 124, 328, 329, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 353, 354, 355, 356, 357 and 358; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 16, 2023**

THURSDAY, MARCH 16, 2023 – FIFTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 340; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 340** -- Memorials, Recognition - St. Patrick's Day. by *Yarbro, *Akbari, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Massey, *Niceley, *Oliver, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Stevens, *Swann, *Taylor, *Walley, *Watson, *White, *Yager, *McNally.

MESSAGE FROM THE SENATE

March 16, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 483; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 483 -- Judges and Chancellors - As introduced, removes provisions that allow parties in certain civil cases to agree to employ a retired or former judge to hear the case and provide for the process and manner of trial. - Amends TCA Title 17, Chapter 2, Part 1. by *Stevens, *Lowe. (*HB418 by *Stevens, *Garrett, *Russell, *Fritts)

MESSAGE FROM THE SENATE

March 16, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 328; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 328 -- Criminal Offenses - As introduced, changes from 25 to 17 the number of days of incarceration a person convicted of a second offense of driving under the influence of an intoxicant must serve before the person can participate in a substance abuse treatment program; requires a person charged with or convicted of a third or subsequent offense of driving under the influence of an intoxicant involving the use of alcohol to wear a transdermal alcohol monitoring device for a 90-day period of continuous sobriety. - Amends TCA Title 39; Title 40 and Title 55. by *Haile, *Yager. (*HB144 by *Lamberth, *Sherrell, *Hardaway, *Whitson, *Gant, *Wright, *Ragan, *Eldridge, *Todd)

WELCOMING AND HONORING

RECOGNITION IN THE WELL

Representative Richey was recognized in the Well to honor the Tennessee High School Rodeo Association, 50th Anniversary.

RESOLUTION READ

855

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

The Clerk read House Joint Resolution No. 174, adopted February 13, 2023.

***House Joint Resolution No. 174** -- Memorials, Recognition - Tennessee High School Rodeo Association, 50th Anniversary. by *Richey, *Todd. (*Bailey)

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for March 20, 2023:

House Resolution No. 37 -- Memorials, Recognition - Liam Alexander, Governor's Volunteer Stars Award. by *Lamberth.

House Resolution No. 38 -- Memorials, Recognition - David Moomy, Governor's Volunteer Stars Award. by *Lamberth.

House Resolution No. 39 -- Memorials, Death - John Bruce Brackin. by *Richey.

House Resolution No. 40 -- Memorials, Death - Cyrus David Gallagher. by *Richey.

***House Joint Resolution No. 425** -- Memorials, Professional Achievement - Bill Shedden, Pioneer Award, Tennessee School Plant Management Association. by *Hicks G.

***House Joint Resolution No. 426** -- Memorials, Death - LaSanta Daneen Walker. by *Chism.

***House Joint Resolution No. 427** -- Memorials, Recognition - Charles Kimbrough. by *Jones.

***House Joint Resolution No. 428** -- Memorials, Recognition - Albert Bender. by *Jones.

***House Joint Resolution No. 429** -- Memorials, Sports - Bradley Central High School girls' basketball team, TSSAA Division I, Class 4A state champions. by *Howell, *Raper.

***House Joint Resolution No. 430** -- Memorials, Retirement - Police Chief Randall Brackins, Gatlinburg Police Department. by *Hemmer, *Carr, *Farmer.

***House Joint Resolution No. 431** -- Memorials, Recognition - Glen and Sharon Meadows, Wally's Restaurant. by *Helton-Haynes, *Hakeem, *Vital, *Martin G, *Hazlewood.

***House Joint Resolution No. 432** -- Memorials, Academic Achievement - Lulie Thomas, Valedictorian, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 433** -- Memorials, Academic Achievement - Gracie Felty, Salutatorian, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 434** -- Memorials, Academic Achievement - William Matthew Holden, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 435** -- Memorials, Academic Achievement - Audrey Kittrell, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 436** -- Memorials, Academic Achievement - Kaydence Barnett, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 437** -- Memorials, Academic Achievement - Katie Hill, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 438** -- Memorials, Academic Achievement - Andrew Hay, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 439** -- Memorials, Academic Achievement - Mia Lindsey, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 440** -- Memorials, Academic Achievement - Brilee Norman, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 441** -- Memorials, Academic Achievement - Emariyana Rogers, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 442** -- Memorials, Academic Achievement - Anna Katherine "Katie" Harris, Valedictorian, Collinwood High School. by *Capley.

***House Joint Resolution No. 443** -- Memorials, Academic Achievement - Logan Alexander Thompson, Salutatorian, Collinwood High School. by *Capley.

***House Joint Resolution No. 444** -- Memorials, Academic Achievement - Jesse Dylan Daniel, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 445** -- Memorials, Academic Achievement - Analise Hope Arrington, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 446** -- Memorials, Academic Achievement - Adaline Grace "Addie" Quillen, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 447** -- Memorials, Academic Achievement - Alyssa Raelynn Gray, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 448** -- Memorials, Academic Achievement - Lucinda Jeanette Butler, Top Ten Senior, Collinwood High School. by *Capley.

THURSDAY, MARCH 16, 2023 – FIFTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Joint Resolution No. 449** -- Memorials, Academic Achievement - Rachel Lillian Gross, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 450** -- Memorials, Academic Achievement - Josie Emma-Lynn Pigg, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 451** -- Memorials, Academic Achievement - Noah Steven Taylor Haddock, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 452** -- Memorials, Recognition - Mary Crowe and Lavita Hill. by *Jones.

***House Joint Resolution No. 453** -- Memorials, Death - Don Laws. by *Capley, *Doggett.

***House Joint Resolution No. 454** -- Memorials, Academic Achievement - Alexis LaDuc, Salutatorian, Cannon County High School. by *Hale.

***House Joint Resolution No. 455** -- Memorials, Academic Achievement - Ethan Powell, Valedictorian, Cannon County High School. by *Hale.

***House Joint Resolution No. 456** -- Memorials, Death - Dr. Ted Lawrence Flickinger. by *Moon, *Richey.

***House Joint Resolution No. 457** -- Memorials, Retirement - Mary Frances Hixson. by *Travis.

***House Joint Resolution No. 459** -- Memorials, Recognition - Sam Raimi. by *Terry.

***House Joint Resolution No. 460** -- Memorials, Retirement - Major General Jeffrey H. Holmes, Tennessee National Guard. by *Terry.

***House Joint Resolution No. 461** -- Memorials, Recognition - the late Michael Lee Aday. by *Terry.

***House Joint Resolution No. 462** -- Memorials, Recognition - Champion Recovery Community. by *Rudder.

***House Joint Resolution No. 463** -- Memorials, Recognition - Anna Claire Christy, Governor's Volunteer Stars Award. by *Littleton.

***House Joint Resolution No. 464** -- Memorials, Recognition - Marjorie "Cricket" Allen, Governor's Volunteer Stars Award. by *Littleton.

***House Joint Resolution No. 465** -- Memorials, Recognition - Reverend Dr. J. Lawrence Turner. by *Hardaway.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

858

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

THURSDAY, MARCH 16, 2023 – FIFTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for March 20, 2023:

***Senate Joint Resolution No. 299** -- Memorials, Professional Achievement - Michael Hubbard, Kingsport City Schools Supervisor of the Year. by *Lundberg.

***Senate Joint Resolution No. 300** -- Memorials, Professional Achievement - Dr. Stacy Edwards, Kingsport City Schools District Principal of the Year. by *Lundberg.

***Senate Joint Resolution No. 301** -- Memorials, Professional Achievement - Marie Taylor, Kingsport City Schools District Grades Pre-K-4 Teacher of the Year. by *Lundberg.

***Senate Joint Resolution No. 302** -- Memorials, Professional Achievement - Kathleen Donnellan, Kingsport City Schools District Teacher of the Year Grades 5-8. by *Lundberg.

***Senate Joint Resolution No. 303** -- Memorials, Professional Achievement - Regina Davenport, Kingsport City Schools District Teacher of the Year Grades 9-12. by *Lundberg, *Watson.

***Senate Joint Resolution No. 304** -- Memorials, Recognition - Frank Lannom. by *Pody.

***Senate Joint Resolution No. 306** -- Memorials, Academic Achievement - Annabelle Lockridge, Valedictorian, Chester County High School. by *Walley.

***Senate Joint Resolution No. 307** -- Memorials, Academic Achievement - Jacelyn Haskins, Salutatorian, Chester County High School. by *Walley.

***Senate Joint Resolution No. 308** -- Memorials, Sports - Bolivar Central High School boys' basketball team, district championship. by *Walley.

***Senate Joint Resolution No. 309** -- Memorials, Personal Achievement - Xavier Thomas Burval, Eagle Scout. by *Haile.

***Senate Joint Resolution No. 310** -- Memorials, Sports - Rossville Christian Academy girls' basketball team. by *Walley.

***Senate Joint Resolution No. 311** -- Memorials, Sports - Rossville Christian Academy boys' basketball team. by *Walley.

***Senate Joint Resolution No. 312** -- Memorials, Recognition - Janae Edmondson. by *Reeves, *Lamar, *White.

***Senate Joint Resolution No. 313** -- Memorials, Death - Arzo Carson. by *Yager, *McNally, *Massey, *Akbari, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Niceley, *Oliver, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Stevens, *Swann, *Taylor, *Walley, *Watson, *White, *Yarbro.

***Senate Joint Resolution No. 314** -- Memorials, Recognition - Gaye Lynn Wilson. by *Pody.

***Senate Joint Resolution No. 315** -- Memorials, Death - Aleya Brooks. by *Haile.

***Senate Joint Resolution No. 316** -- Memorials, Retirement - Natalie Knudsen. by *Haile.

***Senate Joint Resolution No. 317** -- Memorials, Personal Achievement - Nathan Gafney, Eagle Scout. by *Haile.

***Senate Joint Resolution No. 318** -- Memorials, Personal Achievement - Hayden Baker, Eagle Scout. by *Haile.

***Senate Joint Resolution No. 319** -- Memorials, Sports - Knoxville Catholic High School Lady Irish basketball team, TSSAA Division II-AA State Champions. by *McNally, *Massey, *Briggs.

RESOLUTIONS LYING OVER

On motion, the resolution listed was referred to the appropriate Committee:

***Senate Joint Resolution No. 31** -- Naming and Designating - Designates the City of Friendsville as the Pink Marble Capital of Tennessee. by *Swann.

House Local Government Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 1559** -- Burns - Subject to local approval, moves from the first Monday in April to the second Monday in April the date for the biennial organizational meeting of the incoming board of commissioners; moves the monthly meeting of the board to the second Monday of each month. - Amends Chapter 89 of the Private Acts of 2008. by *Littleton.

***House Bill No. 1560** -- Blount County - Subject to local approval, alters the conditions under which the county is authorized to own and operate a nonprofit hospital. - Amends Chapter 187 of the Private Acts of 1945. by *Moon.

***House Bill No. 1561** -- Sumner County - Subject to local approval, prohibits public entities in Sumner County from using eminent domain to acquire privately owned real property for parks, trails, paths, or greenways for walking, running, hiking, bicycling, or equestrian use, unless the privately owned real property is parallel to, runs directly along the length of, and extends in the same direction as a highway, road, or street, - Amends Chapter. by *Slater, *Garrett, *Lamberth.

***House Bill No. 1562** -- Petersburg - Subject to local approval, makes changes to the duties of the mayor; reduces the term of the mayor and vice mayor from two years to four; provides a method to fill vacancies on the board if the vacancies cause the board to lack a

quorum; authorizes the board to set the salary of the board members by ordinance; revises the powers of the city; authorizes the appointment of a treasurer and town administrator; requires the town judge to be a licensed attorney. - Amends Chapter 272 of the Acts of 1901; as amended and rewritten. by *Marsh.

***House Bill No. 1563** -- Maury County - Subject to local approval, requires the civil service board to meet semi annually rather than annually; designates the county mayor as the board secretary, to replace the county human resources director; removes board authority to hold performance examinations to determine qualifications for employment; deletes competitive promotion examination requirements; provides for a right of appeals upon a suspension of an employee by the sheriff. - Amends Chapter 26 of the Private Acts of 2007. by *Cepicky.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 346** -- Election Laws - As introduced, requires each high school to inform each high school senior that upon reaching the age of 18 the student may be eligible to vote and provide information from the secretary of state about voter eligibility and how to register to vote. - Amends TCA Title 2 and Title 49. by *Campbell, *Briggs, *Yarbro, *Akbari, *Lamar. (HB933 by *McKenzie)

***Senate Bill No. 382** -- Local Education Agencies - As introduced, deletes the provision repealing the Virtual Public Schools Act on June 30, 2023. - Amends TCA Section 49-16-216. by *Niceley. (HB678 by *Powers)

Senate Bill No. 464 -- Parks, Natural Areas Preservation - As introduced, designates a segment of the Duck River in Maury County as a Class II scenic river; requires permitting of certain water resource projects in Class II scenic river areas, subject to rules promulgated by the commissioner of environment and conservation. - Amends TCA Title 11, Chapter 13; Title 64, Chapter 1, Part 6 and Title 68, Chapter 211. by *Hensley, *Campbell, *Yarbro. (*HB447 by *Cepicky, *Whitson, *Jernigan, *Vital, *Capley, *Haston, *Harris)

***Senate Bill No. 504** -- Consumer Protection - As introduced, prohibits an individual or entity from selling, offering for sale, or providing an air ambulance membership agreement to an individual who is enrolled in TennCare; requires an individual or entity that provides an air ambulance membership agreement to an individual who subsequently enrolls in TennCare to provide the enrollee with a pro-rated refund of consideration paid for the membership; adds other related prohibitions, requirements, and penalties. - Amends TCA Title 47, Chapter 18; Title 56 and Title 71. by *Powers. (HB633 by *Darby)

Senate Bill No. 505 -- Traffic Safety - As introduced, authorizes the legislative body of a municipality to establish the fine for speeding within a residential zone within its jurisdictional

THURSDAY, MARCH 16, 2023 – FIFTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

boundaries at \$200. - Amends TCA Title 5; Title 6; Title 7 and Title 55, Chapter 8. by *Powers. (*HB410 by *Johnson C, *Davis)

***Senate Bill No. 533** -- State Employees - As introduced, authorizes the grant of sick leave from a sick leave bank to a state employee to care for a sick child of the employee. - Amends TCA Title 8, Chapter 50, Part 8; Title 8, Chapter 50, Part 9 and Title 49, Chapter 5, Part 8. by *Haile, *Crowe, *Lowe, *Massey, *Reeves, *Kyle, *Yarbro, *Jackson, *Lamar, *Rose, *Walley, *White, *Yager. (HB1151 by *White, *Harris, *Helton-Haynes, *Jernigan, *Bulso, *Hakeem)

Senate Bill No. 555 -- Regional Authorities and Special Districts - As introduced, expands the types of projects that may be funded under the Tourism Development Authority Act; clarifies the sources of revenue to fund such projects; excludes ad valorem real property taxes from such sources of revenue that are available to fund projects under the Act. - Amends TCA Title 7, Chapter 69. by *Powers, *Yarbro. (*HB491 by *Johnson C)

Senate Bill No. 568 -- Divorce, Annulment and Alimony - As introduced, allows a court in a divorce or annulment action to provide for the ownership or joint ownership of any pet or companion animal owned by the parties, taking into consideration the well-being of the animal. - Amends TCA Title 36, Chapter 4. by *Yarbro, *Akbari. (*HB467 by *Hemmer)

Senate Bill No. 589 -- Traffic Safety - As introduced, enacts the "Eddie Conrad Act," which establishes the number of points to be charged to a person's driving record for violations of driving while using a wireless telecommunications device. - Amends TCA Section 55-8-199. by *Pody, *Bowling, *Powers, *Rose. (*HB485 by *Boyd)

Senate Bill No. 600 -- Local Government, General - As introduced, prohibits local governments from expending funds for the purposes of assisting a person in obtaining an abortion. - Amends TCA Title 5; Title 6; Title 7 and Title 8. by *Hensley, *Bowling, *Rose, *Stevens, *Jackson, *Pody. (*HB90 by *Moody, *Lamberth, *Bulso, *Leatherwood, *Fritts, *Raper, *Cepicky, *Martin G)

***Senate Bill No. 618** -- Civil Procedure - As introduced, permits the use of a person's full social security number; taxpayer identification number; birth date; name, if the person is a minor; or financial account number in court filings regarding parenting plans. - Amends TCA Title 20, Chapter 6. by *Yarbro, *Akbari. (HB985 by *Beck)

Senate Bill No. 675 -- Drugs, Prescription - As introduced, makes various changes to the prescription drug donation repository program operated by the department of health. - Amends TCA Title 56; Title 63 and Title 68. by *Reeves. (*HB667 by *Hicks T)

***Senate Bill No. 746** -- Motor Vehicles - As introduced, authorizes the sale or purchase of previously titled antique or unique motor vehicles without a motor vehicle dealer license through auction formats that meet certain criteria. - Amends TCA Title 55, Chapter 17 and Title 62, Chapter 19. by *Gardenhire, *Lowe. (HB881 by *Martin G)

Senate Bill No. 928 -- Real Property - As introduced, requires that plane coordinate values for a point on the Earth's surface, used to express the geographic position or location of

THURSDAY, MARCH 16, 2023 – FIFTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

the point, be expressed in international feet instead of United States survey feet. - Amends TCA Section 66-6-102. by *Taylor. (*HB853 by *Leatherwood)

***Senate Bill No. 955** -- Public Funds and Financing - As introduced, authorizes the state treasurer, with the approval of the attorney general and reporter, to contract with additional legal counsel, who must be paid compensation for services as the treasurer may deem just, to advise on issues concerning the state treasurer's fiduciary obligations and responsibilities, including the investment, reinvestment, management, and selection of investment options for program assets. - Amends TCA Title 9, Chapter 4. by *Johnson, *Walley, *White, *Yager, *Bailey, *Bowling, *Crowe, *Gardenhire, *Niceley, *Reeves, *Rose, *Stevens, *Taylor. (HB1286 by *Zachary, *Terry, *Lafferty, *Hawk, *Davis, *Vital)

Senate Bill No. 975 -- Utilities, Utility Districts - As introduced, revises provisions relating to contracts executed for purchases, services, and leases by the president of a municipal energy authority or the superintendent of a municipal electric plant. - Amends TCA Title 7, Chapter 34; Title 7, Chapter 36; Title 7, Chapter 52 and Title 12. by *Powers, *Bowling. (*HB921 by *Marsh)

***Senate Bill No. 1034** -- County Officers - As introduced, clarifies the actions a county mayor must take in relation to the performance bond required before entering upon the discharge of the mayor's duties. - Amends TCA Title 5; Title 8; Title 9; Title 18; Title 54 and Title 67. by *Johnson, *Yager, *Bowling. (HB1134 by *McCalmon, *Bulso, *Whitson, *Warner)

Senate Bill No. 1214 -- Alcoholic Beverages - As introduced, clarifies which jurisdictions are eligible to hold a referendum to authorize the sale of wine in retail food stores. - Amends TCA Title 57, Chapter 3, Part 8. by *White. (*HB1089 by *Stevens)

Senate Bill No. 1307 -- Conservation - As introduced, authorizes expenditures from the 1986 wetland acquisition fund to acquire forest tracts within Cumberland County adjacent to Catoosa Wildlife Management Area known as the "Oakley Tract(s)," including lands adjacent thereto. - Amends TCA Title 11, Chapter 14, Part 4 and Title 67, Chapter 4. by *Bailey. (*HB1026 by *Butler, *Sexton)

Senate Bill No. 1434 -- School Transportation - As introduced, allows school bus drivers to use a portable electronic device for navigation of the school bus through use of the device's global positioning system if no hands are used to hold the device or to enter data into the device while the school bus is in motion; the device is mounted on the school bus's windshield, dashboard, or center console area; and the driver views only data related to the navigation of the bus. - Amends TCA Title 49 and Title 55. by *Roberts, *Bowling. (*HB1321 by *Helton-Haynes)

Senate Bill No. 1440 -- Statutes and Codification - As introduced, adds "sex" as a defined term for statutory construction purposes. - Amends TCA Title 1, Chapter 3 and Title 49, Chapter 2, Part 8. by *Roberts, *Bowling, *Stevens. (*HB239 by *Bulso, *Lamberth, *Farmer, *Capley, *Grills, *Barrett, *Kumar)

HOUSE BILLS ON SECOND CONSIDERATION

THURSDAY, MARCH 16, 2023 – FIFTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 1558** -- Niota -- House Local Government Committee

**CAPTION BILLS REFERRED
March 14, 2023**

Pursuant to **Rule No. 47**, the following Caption Bills 480, 944, 996, 1136, 1143, 1326, 1349 and 1392 held on the Clerk's desk were referred to the following Committees:

***House Bill No. 480** -- Criminal Procedure -- House Criminal Justice Committee

***House Bill No. 944** -- Domestic Violence -- House Civil Justice Committee

***House Bill No. 996** -- Education -- House Education Instruction Committee

***House Bill No. 1136** -- Fireworks -- House Commerce Committee

***House Bill No. 1143** -- Mental Illness -- House Health Committee

***House Bill No. 1326** -- Tennessee Bureau of Investigation -- House Criminal Justice Committee

***House Bill No. 1349** -- Civil Procedure -- House Civil Justice Committee

***House Bill No. 1392** -- Law Enforcement -- House State Government Committee

**CAPTION BILLS REFERRED
March 15, 2023**

Pursuant to **Rule No. 47**, the following Caption Bills 300, 330, 439, 475, 499, 505, 524, 674, 843, 864, 1046, 1060, 1063, 1473, 1477 and 1509 held on the Clerk's desk were referred to the following Committees:

***House Bill No. 300** -- County Government -- House State Government Committee

***House Bill No. 330** -- Children -- House Civil Justice Committee

***House Bill No. 439** -- Local Education Agencies -- House Education Administration Committee

***House Bill No. 475** -- Election Laws -- House Local Government Committee

***House Bill No. 499** -- Election Laws -- House Local Government Committee

***House Bill No. 505** -- Election Laws -- House Local Government Committee

***House Bill No. 524** -- Education, Dept. of -- House Education Administration Committee

***House Bill No. 674** -- Real Property -- House Local Government Committee

***House Bill No. 843** -- Education, Higher -- House Education Administration Committee

***House Bill No. 864** -- County Government -- House Local Government Committee

***House Bill No. 1046** -- Tennessee Housing Development Agency -- House Local Government Committee

***House Bill No. 1060** -- Employees, Employers -- House Commerce Committee

***House Bill No. 1063** -- Utilities, Utility Districts -- House Commerce Committee

***House Bill No. 1473** -- Law Enforcement -- House State Government Committee

***House Bill No. 1477** -- Trusts -- House Commerce Committee

***House Bill No. 1509** -- Real Property -- House Local Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 14, 2023**, reported the following:

COMMERCE COMMITTEE

The Commerce Committee recommended for passage: House Joint Resolution No. 119, also House Bills Nos. 988, 1275, 633, 165 and 799 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 154.

CRIMINAL JUSTICE COMMITTEE

The Criminal Justice Committee recommended for passage: House Bills Nos. 1193, 1198 and 159, also House Bills Nos. 1253 and 554 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 612 and 587, also House Bills Nos. 794, 806, 1475 and 1482 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

EDUCATION INSTRUCTION COMMITTEE

The Education Instruction Committee recommended for passage: House Bill No. 736, also House Bill No. 782 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 1097 with amendments.

FINANCE, WAYS, AND MEANS COMMITTEE

The Finance, Ways, and Means Committee recommended for passage: House Bills Nos. 374, 1367, 896, 1387, 316 and 801. Under the rules, each was transmitted to the Calendar and Rules Committee.

INSURANCE COMMITTEE

The Insurance Committee recommended for passage: House Bill No. 1309, also House Bill No. 1163 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 607 and 493 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Health Committee: House Bill No. 498 with amendments.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 1503 with amendments.

LOCAL GOVERNMENT COMMITTEE

The Local Government Committee recommended for passage: House Bills Nos. 1549, 1551, 1536, 1430, 491, 910, 1550, 1540, and 763, also House Bills Nos. 853 and 882 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 1361, also House Bills Nos. 804 and 1012 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

TRANSPORTATION COMMITTEE

The Transportation Committee recommended for passage: House Bills Nos. 410 and 713. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 142, 1144 and 1321 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 15, 2023**, reported the following:

AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The Agriculture and Natural Resources Committee recommended for passage: House Joint Resolution No. 305, also House Bills Nos. 1056 and 1057 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CIVIL JUSTICE COMMITTEE

The Civil Justice Committee recommended for passage: House Bills Nos. 855 and 163, also House Bills Nos. 854 and 461 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 318, 460, 759 and 1005 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

EDUCATION ADMINISTRATION COMMITTEE

The Education Administration Committee recommended for passage: House Bills Nos. 723, 644, 459, 258, 892, 588 and 559, also House Bills Nos. 1086, 529, 426, 457, 294 and 1445 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 1232 and 849 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 391.

HEALTH COMMITTEE

The Health Committee recommended for passage: House Bills Nos. 1051 and 883 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 155. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 1388 with amendments.

The Committee further reports that House Bill No. 283 was considered, but failed to pass.

STATE GOVERNMENT COMMITTEE

The State Government Committee recommended for passage: House Joint Resolution No. 5, also House Bills Nos. 1217, 1151, 1453 and 407 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 1043, 572, 537 and 297, also House Bills Nos. 324, 191, 867, 1362, 1036 and 706 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 16, 2023**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **March 20, 2023**: House Bills Nos. 384, 884, 316, 853, 854, 855, 548, 71, 736, 554, 426, 988, 985, 407, 1086, 1536, 1195, 1198, 444, 1309, 1313, 1492, 633, 883, and 1217.

The committee also set the following bills on the **Regular Calendar** for **March 23, 2023**: House Bills Nos. 1253, 374, 1387, 1453, 782, 1151, 1163, 1550, House Joint Resolution No. 5, House Bills Nos. 799, 165, 163, 159, 294, 892, 1445, and 723.

It further reports that it set the following bills and resolutions on the **Consent Calendar** for **March 20, 2023**: House Joint Resolutions Nos. 97, 98, 99, 100, 106, 109, 155, 114, 189, 190, 191, 192, House Bills Nos. 1551, 1540, 1549, 680, 536, 410, 491, House Joint Resolutions Nos. 305, 119, House Bills Nos. 1430, 763, 713, 644, 675, 1193, 729, House Joint Resolutions Nos. 299, 300, House Bills Nos. 258, and 588.

CONSENT CALENDAR

House Resolution No. 34 -- Memorials, Recognition - Mamie Turner, Bullets Have No Eyes. by *Dixie.

House Resolution No. 35 -- Memorials, Recognition - Vietnam Veterans Day. by *Moon, *Whitson, *Ragan, *Boyd, *Wright, *Carr, *Reedy, *Johnson C, *Lamberth, *Glynn, *Camper, *Parkinson, *Raper, *Powers, *Eldridge, *Hardaway, *Vital, *Fritts, *Crawford, *Littleton, *McCalmon, *Doggett, *Richey.

***House Joint Resolution No. 411** -- Memorials, Recognition - Johan Steene, 2022 Last Annual Vol State Road Race winner. by *Marsh.

***House Joint Resolution No. 412** -- Memorials, Recognition - Renee Ford, Governor's Volunteer Stars Award. by *Darby.

***House Joint Resolution No. 413** -- Memorials, Recognition - Jimmie Higgs, Governor's Volunteer Stars Award. by *Darby.

***House Joint Resolution No. 414** -- Memorials, Recognition - Tom Rowland. by *Raper, *Howell, *Vital.

***House Joint Resolution No. 415** -- Memorials, Academic Achievement - Ashlynn Bell, Top Ten Senior, Columbia Central High School. by *Cepicky.

***House Joint Resolution No. 416** -- Memorials, Academic Achievement - Jana Galberth, Top Ten Senior, Columbia Central High School. by *Cepicky.

***House Joint Resolution No. 417** -- Memorials, Academic Achievement - Josie Grooms, Top Ten Senior, Columbia Central High School. by *Cepicky.

***House Joint Resolution No. 418** -- Memorials, Academic Achievement - Karysma Phelps, Top Ten Senior, Columbia Central High School. by *Cepicky.

***House Joint Resolution No. 419** -- Memorials, Academic Achievement - Anna Legarrea, Top Ten Senior, Columbia Central High School. by *Cepicky.

***House Joint Resolution No. 420** -- Memorials, Academic Achievement - Zoe Marshall, Top Ten Senior, Columbia Central High School. by *Cepicky.

***House Joint Resolution No. 421** -- Memorials, Academic Achievement - Mya Nguyen, Top Ten Senior, Columbia Central High School. by *Cepicky.

***House Joint Resolution No. 422** -- Memorials, Academic Achievement - Madison Johnston, Top Ten Senior, Columbia Central High School. by *Cepicky.

***House Joint Resolution No. 423** -- Memorials, Academic Achievement - Lily Parsons, Top Ten Senior, Columbia Central High School. by *Cepicky.

***House Joint Resolution No. 424** -- Memorials, Academic Achievement - Avery Bryant, Top Ten Senior, Columbia Central High School. by *Cepicky.

***Senate Joint Resolution No. 297** -- Memorials, Professional Achievement - John K. Alley, Jr., 2022 Assessor of the Year. by *McNally.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, Garrett, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry,

Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--92

A motion to reconsider was tabled.

REGULAR CALENDAR

SPECIAL ORDER

Without objection, Rep. Lamberth moved the House take up items five and six on the Regular Calendar, out of order at this time as follows:

House Bill No. 150 -- Parks, Natural Areas Preservation - As introduced, designates certain segments of the North Chickamauga Creek as Class I natural river areas. - Amends TCA Title 11, Chapter 13. by *Hazlewood, *Vital, *Martin G. (*SB127 by *Watson, *Gardenhire)

Rep. Hazlewood moved that House Bill No. 150 be passed on third and final consideration.

Rep. Todd moved adoption of Agriculture & Natural Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 150 by deleting the amendatory language of SECTION 1 and substituting:

Chickamauga Creek – The segment of North Chickamauga Creek in Hamilton County from a point approximately at the confluence of Hixson Branch continuing to a point eight and three-tenths miles (8.3 mi.) downstream to the North Chickamauga Creek Gorge visitor access on Montlake Road in Hamilton County, and that one and one-half miles (1.5 mi.) segment of its tributary Cain Creek from the department of environment and conservation property line to the confluence with North Chickamauga Creek.

On motion, Agriculture & Natural Resources Committee Amendment No. 1 was adopted.

Rep. Hazlewood moved that **House Bill No. 150**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, Garrett, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon,

McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--
90

A motion to reconsider was tabled.

***House Bill No. 152** -- TennCare - As introduced, enacts the "Annual Coverage Assessment Act of 2023," which imposes on each covered hospital licensed as of July 1, 2023, an annual coverage assessment for fiscal year 2023-2024 of four and eighty-seven hundredths percent of a covered hospital's annual coverage assessment base. - Amends TCA Title 71, Chapter 5. by *Hazlewood, *Whitson. (SB289 by *Haile, *Crowe, *Reeves)

Rep. Hazlewood moved that House Bill No. 152 be passed on third and final consideration.

Rep. Kumar moved adoption of Insurance Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 152 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 20, is amended by deleting the part and substituting:

71-5-2001. Short title.

This part is known and may be cited as the "Annual Coverage Assessment Act of 2023."

71-5-2002. Part definitions.

As used in this part:

(1) "Annual coverage assessment" means the annual assessment imposed on covered hospitals as set forth in this part;

(2) "Annual coverage assessment base" means a covered hospital's net patient revenue as shown in its medicare cost report for its fiscal year that ended during calendar year 2019, on file with CMS as of September 30, 2021, subject to the following qualifications:

(A) If a covered hospital does not have a full twelve-month medicare cost report for 2019 on file with CMS but has a full twelve-month cost report for a subsequent year, then the first full twelve-month medicare cost report for a year following 2019 on file with CMS is the annual coverage assessment base;

(B) If a covered hospital does not have a full twelve-month medicare cost report for 2019 on file with CMS and does not have a full twelve-month cost report for a subsequent year, but has a cost report for 2019 that covers at least nine (9) months of 2019, then the assessment base is calculated by annualizing the 2019 cost report data;

(C) If a covered hospital was first licensed in 2019 or later and did not replace an existing hospital, and if the hospital has a medicare cost report on file with CMS, then the hospital's initial cost report on file with CMS is the base for the hospital assessment. If the hospital does not have an initial cost report on file with CMS but does have a complete twelve-month joint annual report (JAR) filed with the department of health, then the net patient revenue from the first twelve-month JAR is the annual coverage assessment base. If the hospital does not have a medicare cost report or a full twelve-month JAR filed with the department of health, then the annual coverage assessment base is the covered hospital's projected net patient revenue for its first full year of operation as shown in its certificate of need application filed with the health services and development agency;

(D) If a covered hospital was first licensed in 2019 or later and replaced an existing hospital, then the annual coverage assessment base is the replacement hospital's initial medicare cost report on file with CMS. If the hospital does not have a medicare cost report on file with CMS, then the hospital's annual coverage assessment base is either the predecessor hospital's net patient revenue as shown in its medicare cost report for its fiscal year that ended during calendar year 2019, or, if the predecessor hospital does not have a 2019 medicare cost report, then the cost report for the first fiscal year following 2019 on file with CMS;

(E) If a covered hospital is not required to file an annual medicare cost report with CMS, then the hospital's annual coverage assessment base is its net patient revenue for the fiscal year ending during calendar year 2019 or the first fiscal year that the hospital was in operation after 2019 as shown in the covered hospital's joint annual report filed with the department of health; and

(F) If a covered hospital's fiscal year 2019 medicare cost report is not contained in a CMS healthcare cost report information system file, and if the hospital does not meet another qualification listed in subdivisions (2)(A)-(E), then the hospital must submit a copy of the hospital's 2019 medicare cost report to the bureau in order to allow for the determination of the hospital's net patient revenue for the state fiscal year 2023-2024 annual coverage assessment;

(3) "Bureau" means the bureau of TennCare;

(4) "CMS" means the federal centers for medicare and medicaid services;

(5) "Controlling person" means a person who, by ownership, contract, or otherwise, has the authority to control the business operations of a covered hospital. As used in this subdivision (5), "control" means indirect or direct ownership of ten percent (10%) or more of a covered hospital;

(6) "Covered hospital" means a hospital licensed under title 33 or title 68, as of July 1, 2023, but does not include an excluded hospital;

(7) "Excluded hospital" means:

(A) A hospital that has been designated by CMS as a critical access hospital as of July 1, 2023;

(B) A mental health hospital owned by this state;

(C) A hospital providing primarily rehabilitative or long-term acute care services;

(D) A children's research hospital that does not charge patients for services beyond that reimbursed by third-party payers; and

(E) A hospital that is determined by the bureau as eligible to certify public expenditures for the purpose of securing federal medical assistance percentage payments;

(8) "Medicare cost report" means CMS-2552-10 or a subsequent form adopted by CMS for medicare cost reporting, the cost report for electronic filing of hospitals, for the period applicable as set forth in this section; and

(9) "Net patient revenue" from the medicare cost report means the amount calculated in accordance with generally accepted accounting principles for hospitals that is reported on Worksheet G-3, Column 1, Line 3, of the 2019 medicare cost report, excluding long-term care inpatient ancillary and other non-hospital revenues, or, in the case of a hospital that did not file a 2019 medicare cost report, comparable data from the first complete cost report filed after 2019 by the hospital.

71-5-2003. Annual coverage assessment on covered hospitals.

(a) There is imposed on each covered hospital licensed as of July 1, 2023, an annual coverage assessment for fiscal year (FY) 2023-2024 as set forth in this part.

(b) The annual coverage assessment imposed by this part is not effective and validly imposed until the bureau has provided the Tennessee Hospital Association with written notice that includes:

(1) A determination from CMS that the annual coverage assessment is a permissible source of revenue that does not adversely affect the amount of federal financial participation in the TennCare program;

(2)

(A) Approval from CMS for the distribution of the full amount of directed payments to hospitals to offset unreimbursed TennCare costs as described in § 71-5-2005(d)(2) as long as an assessment installment is not collected prior to the distribution of the installment of the directed payments; or

(B) The rules promulgated by the bureau pursuant to § 71-5-2004(j)(2); and

(3) Confirmation that all contracts between hospitals and managed care organizations comply with the hospital payment rate variation corridors set forth in § 71-5-161.

(c) The general assembly intends that the proceeds of the annual coverage assessment are not to be used as a justification to reduce or eliminate state funding to the TennCare program. The annual coverage assessment is not effective and validly imposed if the coverage or the amount of revenue available for expenditure by the TennCare program in FY 2023-2024 is less than:

(1) The governor's FY 2023-2024 recommended budget level; plus

(2) Additional appropriations made by the general assembly to the TennCare program for FY 2023-2024, except to the extent new federal funding is available to replace funds that are appropriated as described in subdivision (c)(1) and that are above the amount that the state receives from CMS under the regular federal matching assistance percentage.

(d)

(1)

(A) The general assembly intends that the proceeds of the annual coverage assessment are not to be used as justification for

a TennCare managed care organization to implement across-the-board rate reductions to negotiated rates with covered or excluded hospitals or physicians in existence on July 1, 2023. For those rates in effect on July 1, 2023, the bureau shall include provisions in the managed care organizations' contractor risk agreements that prohibit the managed care organizations from implementing across-the-board rate reductions to covered or excluded network hospitals or physicians by specific service, category, or type of provider. The requirements of the preceding sentence also apply to services or settings of care that are ancillary to the primary license of a covered or excluded hospital or physician, but do not apply to reductions in benefits or reimbursement for the ancillary services if the reductions:

(i) Are different from those items being funded in § 71-5-2005(d); and

(ii) Have been communicated in advance of implementation to the general assembly and the Tennessee Hospital Association.

(B) As used in this subsection (d):

(i) "Physician" includes a physician licensed under title 63, chapter 6 or chapter 9, and a group practice of physicians that holds a contract with a managed care organization;

(ii) "Services or settings of care that are ancillary" includes ambulatory surgical facilities, free standing emergency departments, outpatient treatment clinics or imaging centers, dialysis centers, home health and related services, home infusion therapy services, outpatient rehabilitation, or skilled nursing services; and

(iii) "Services or settings of care that are ancillary to the primary license of a covered or excluded hospital or physician" includes services where the physician or covered or excluded hospital, including a wholly owned subsidiary or controlled affiliate of a covered or excluded hospital or hospital system, holds more than a fifty percent (50%) controlling interest in the ancillary services or settings of care, but does not include other ancillary services or settings of care. For across-the-board rate reductions to ancillary services or settings of care, the bureau shall include appropriate requirements for notice to providers in the managed care organizations' contractor risk agreements.

(2) This subsection (d) does not preclude good faith negotiations between managed care organizations and covered or excluded hospitals, hospital systems, and between managed care organizations and physicians on an individualized, case-by-case basis. This subsection (d) does not serve as justification for managed care organizations in this state, covered or excluded hospitals, hospital systems, or physicians to unreasonably deny a party the ability to enter into individualized, case-by-case good faith negotiations. Good faith negotiation necessarily implies mutual cooperation between the negotiating parties and may include, but is not limited to, the right to terminate contractual agreements; the ability to modify negotiated rates, pricing, or units of service; the ability to alter payment methodologies; and the ability to enforce existing managed care techniques or to implement new managed care techniques.

(3) This subsection (d) does not preclude the full implementation of § 71-5-161.

(4) Notwithstanding this subsection (d), if CMS mandates a TennCare program change or a change is required by state or federal law that impacts rates, and that change is required to be implemented by the managed care organizations in accordance with their contracts, or if the annual coverage assessment becomes invalid, then this part does not prohibit the managed care organizations from implementing a rate change as may be mandated by the bureau or by state or federal law.

71-5-2004. Amount of annual coverage assessment – Payment – Penalty – Suspension of payments – Civil action.

(a) The annual coverage assessment established for this part is four and eighty-seven hundredths percent (4.87%) of a covered hospital's annual coverage assessment base.

(b) The annual coverage assessment must be paid in installments pursuant to this subsection (b) if the requirements of § 71-5-2003(b) have been satisfied. The bureau shall establish a schedule of four (4) equal installment payments spread as evenly as possible throughout FY 2023-2024 with each installment payment due fifteen (15) days after the FY 2023-2024 directed payments approved by CMS to offset unreimbursed TennCare costs that have been made to hospitals.

(c) To facilitate collection of the annual coverage assessment, the bureau shall send each covered hospital, at least thirty (30) days in advance of each installment payment due date, a notice of payment along with a return form developed by the bureau. Failure of a covered hospital to receive a notice and return form, however, does not relieve a covered hospital from the obligation of timely payment. The bureau shall also post the return form on its website.

(d) Failure of a covered hospital to pay an installment of the annual coverage assessment, when due, results in an imposition of a penalty of five hundred dollars (\$500) per day until the installment is paid in full. The bureau at

its discretion may waive the penalty if the hospital establishes that it attempted to mail or electronically transfer payment to the state on or before the date the payment was due.

(e) If a covered hospital ceases to operate or changes status to be an excluded hospital between July 1, 2023, and June 30, 2024, then the hospital's total annual coverage assessment is equal to its annual coverage assessment base multiplied by a fraction, the denominator of which is the number of calendar days from July 1, 2023, until July 1, 2024, and the numerator of which is the number of days from July 1, 2023, until the date the board for licensing healthcare facilities has recorded as the date that the hospital changed status or ceased operation.

(f) If a covered hospital ceases operation prior to payment of its full annual coverage assessment, then the person controlling the hospital as of the date the hospital ceased operation is jointly and severally responsible for any remaining annual coverage assessment installments and unpaid penalties associated with previous late payments.

(g) If a covered hospital is sold after July 1, 2023, and before July 1, 2024, then the seller is responsible for annual coverage assessment payments due for the period up to and including the date the sale is final. If the hospital continues to operate in this state and continues to meet the definition of a covered hospital, then the new owner is responsible for paying all coverage assessment amounts due for the period beginning on the day after the date of the sale until July 1, 2024.

(h) If a covered hospital fails to pay an installment of the annual coverage assessment within thirty (30) days of its due date, then the bureau must suspend the payments to the hospital as required by § 71-5-2005(d)(2) or (d)(3) until the installment is paid and report the failure to the department that licenses the covered hospital. Notwithstanding another law, failure of a covered hospital to pay an installment of the annual coverage assessment or a refund required by this part is considered a license deficiency and grounds for disciplinary action as set forth in the statutes and rules under which the covered hospital is licensed.

(i) In addition to the action required by subsection (h), the bureau is authorized to file a civil action against a covered hospital and its controlling person or persons to collect delinquent annual coverage assessment installments, late penalties, and refund obligations established by this part. Exclusive jurisdiction and venue for a civil action authorized by this subsection (i) is in the chancery court for Davidson County.

(j)

(1) If a federal agency with jurisdiction over the annual coverage assessment determines that the annual coverage assessment is not a valid source of revenue or if there is a reduction of the coverage and funding of the TennCare program contrary to § 71-5-2003(c), or if the requirements of §§ 71-5-161 and 71-5-2003(b) are not fully satisfied, or if

one (1) or more managed care organizations impose rate reductions contrary to § 71-5-2003(d), then:

(A) No subsequent installments of the annual coverage assessment are due and payable; and

(B) No further payments must be paid to hospitals pursuant to § 71-5-2005(d)(2) or (d)(3) after the date of the event.

(2)

(A) Notwithstanding this part, if CMS discontinues approval of or otherwise fails to approve the full amount of directed payments to hospitals to offset losses incurred from providing services to TennCare enrollees as authorized under § 71-5-2005(d), then the bureau must suspend payments from or to covered hospitals otherwise required by this part and must promulgate rules that:

(i) Establish the methodology for determining the amounts, categories, and times of payments to hospitals, if any, instead of the payments that otherwise would have been paid under § 71-5-2005(d)(3) if approved by CMS;

(ii) Prioritize payments to hospitals as set forth in § 71-5-2005(d)(3);

(iii) Identify the benefits and services for which funds will be available in order to mitigate reductions or eliminations that otherwise would be imposed in the absence of the coverage assessment;

(iv) Determine the amount and timing of payments for benefits and services identified under subdivisions (j)(2)(A)(ii) and (iii), as appropriate;

(v) Reinstitute payments from or to covered hospitals as appropriate; and

(vi) Otherwise achieve the goals of this subdivision (j)(2).

(B) The rules adopted under this subdivision (j)(2) must, to the extent possible, achieve the goals of:

(i) Maximizing the amount of federal matching funds available for the TennCare program; and

(ii) Minimizing the variation between payments hospitals will receive under the rules as compared to

payments hospitals would have received if CMS had approved the total payments described in § 71-5-2005(d).

(C) Notwithstanding another law, the bureau is authorized to exercise emergency rulemaking authority to the extent necessary to meet the objectives of this subdivision (j)(2).

(3) Upon occurrence of an event set forth in subdivision (j)(1) or (j)(2), the bureau shall then have authority to make necessary changes to the TennCare budget to account for the loss of annual coverage assessment revenue.

(k) A covered hospital or an association representing covered hospitals, the membership of which includes thirty (30) or more covered hospitals, has the right to file a petition for declaratory order pursuant to § 4-5-223 to determine if there has been a failure to meet the requirements of this part. A covered hospital shall not increase charges or add a surcharge based on, or as a result of, the annual coverage assessment.

71-5-2005. Deposits in Maintenance of Coverage Trust Fund – Expenditures – Quarterly reports.

(a) The funds generated as a result of this part must be deposited in the maintenance of coverage trust fund created by § 71-5-160, the existence of which is continued as provided in subsection (b). The fund must not be used to replace monies otherwise appropriated to the TennCare program by the general assembly or to replace monies appropriated outside of the TennCare program.

(b) The maintenance of coverage trust fund must continue without interruption and must be operated in accordance with § 71-5-160 and this section.

(c) The maintenance of coverage trust fund consists of:

(1) The balance of the trust fund remaining as of June 30, 2023;

(2) All annual coverage assessments received by the bureau;

(3) Investment earnings credited to the assets of the maintenance of coverage trust fund; and

(4) Penalties paid by covered hospitals for late payment of assessment installments imposed by this part or a prior statute authorizing an annual coverage assessment.

(d) Monies credited or deposited to the maintenance of coverage trust fund, together with all federal matching funds, must be available to and used by the bureau only for expenditures in the TennCare program and include the following purposes:

(1) Expenditure for benefits and services under the TennCare program, including those that would have been subject to reduction or elimination from TennCare funding for FY 2023-2024, except for the availability of one-time funding for that year only, as follows:

(A) Replacement of across-the-board reductions in covered and excluded hospital and professional reimbursement rates described in the governor's recommended budgets since FY 2011, except for reductions that were included on a list for a given year but then funded in a subsequent year with recurring state dollars;

(B) Funding virtual DSH payments, funding payments to hospitals for uncompensated care to charity patients, and funding payments to hospitals for quality incentive arrangements, with all of those payments being made in accordance with, and as those categories of payments are defined in, the TennCare 1115 demonstration waiver from the federal centers for medicare and medicaid services to the maximum amount permitted for each category under that waiver;

(C) Maintenance of payments for graduate medical education of at least forty-eight million dollars (\$48,000,000), or a successor program as approved by CMS;

(D) Maintenance of reimbursement for medicare part A crossover claims at the lesser of one hundred percent (100%) of medicare allowable or the billed amount;

(E) Avoidance of coverage limitations relative to the number of hospital inpatient days per year or the annual cost of hospital services for a TennCare enrollee;

(F) Avoidance of coverage limitations relative to the number of nonemergency outpatient visits per year for a TennCare enrollee;

(G) Avoidance of coverage limitations relative to the number of physician office visits per year for a TennCare enrollee;

(H) Avoidance of coverage limitations relative to the number of laboratory and diagnostic imaging encounters per year for a TennCare enrollee;

(I) Maintenance of coverage for occupational therapy, physical therapy, and speech therapy services;

(J) In the total amount of five hundred seventy-nine thousand four hundred thirty-eight dollars (\$579,438) to maintain reimbursement at the same emergency care rate as in FY 2022-

2023 for nonemergent care to children twelve (12) to twenty-four (24) months of age;

(K) In the total amount of two million seventy thousand nine hundred dollars (\$2,070,900) to the bureau to offset the elimination of the provision in the TennCare managed care contractor risk agreements for hospitals as follows: CRA 2.12.9.60-Specify in applicable provider agreements that all providers who participate in the federal 340B program give TennCare MCOs the benefit of 340B pricing;

(L) In the total amount of one hundred seventy-five thousand dollars (\$175,000) to offset a portion of the hospital cost of providing admissions, discharge, and transfer (ADT) messages to the TennCare bureau to support the TennCare Patient Centered Medical Home initiative;

(M) In the total amount of one million four hundred twenty-six thousand seven hundred dollars (\$1,426,700) to provide funding for stipends for physicians and other healthcare providers who commit to work in designated medically underserved areas in this state; and

(N) In the amount of three million dollars (\$3,000,000) to offset the unreimbursed cost of charity care for critical access hospitals to be funded from funds remaining in the trust fund as of June 30, 2023;

(2) Directed payments to hospitals to reduce unreimbursed costs incurred by covered hospitals in providing services to TennCare patients, as approved by CMS and as directed in subdivision (d)(3)(B);

(3)

(A) If CMS does not approve directed payments to hospitals to offset unreimbursed costs incurred in serving TennCare patients, but instead approves hospital supplemental pools in the TennCare waiver for that purpose, then payments required by this subdivision (d)(3) must be made from the allocated pools to covered hospitals to offset losses incurred in providing services to TennCare enrollees as set forth in this subdivision (d)(3) as first priority before any other supplemental payments authorized in the TennCare waiver are distributed;

(B) Directed payments to hospitals must be based on the claims paid to covered hospitals from the managed care organizations during each quarter of FY 2023-2024. Each covered hospital is entitled to payments for FY 2023-2024 equal to a portion of its reported TennCare revenue to help offset unreimbursed costs incurred providing care to TennCare patients.

As used in this subdivision (d)(3)(B), TennCare net revenue is calculated using data from Schedule E, items (A)(1)(e) and (A)(1)(f) from the hospital's 2021 joint annual report (JAR) filed with the department of health. The amount of the payment to covered hospitals will be based on their DSH class as prescribed in the annual directed payment pre-prints submitted to CMS, excluding state-owned hospitals. The classification of hospitals being established follows existing classifications in the TennCare DSH program and includes children's, tier 1, tier 2 rural, tier 2 urban, tier 3, psychiatric, large safety net, small safety net, and hospitals that do not receive DSH payments;

(C) The payments required by this subdivision (d)(3) must be made in four (4) equal installments. The bureau shall provide to the Tennessee Hospital Association a schedule showing the payments to each hospital at least seven (7) days in advance of the payments;

(D) The payments required by this subdivision (d)(3) may be made by the bureau directly or by the TennCare managed care organizations with the direction to make payments to hospitals as required by this subsection (d). The payments to a hospital pursuant to this subdivision (d)(3) are not part of the reimbursement to which a hospital is entitled under its contract with a TennCare managed care organization; and

(E) If CMS does not approve of the classified structure of directed payments to offset unreimbursed TennCare costs, then payments required by this subdivision (d)(3) must be in accordance with this subdivision (d)(3)(E). Directed payments to hospitals must be based on the claims paid to covered hospitals from the managed care organizations during each quarter of FY 2023-2024. Each covered hospital is entitled to payments for FY 2023-2024 of a portion of its unreimbursed TennCare costs of providing services to TennCare enrollees. As used in this subdivision (d)(3)(E), "unreimbursed TennCare costs" means the excess of TennCare costs over TennCare net revenue. TennCare charges and net revenue are calculated using data from Schedule E, items (A)(1)(e) and (A)(1)(f) from the hospital's 2021 joint annual report (JAR) filed with the department of health. As used in this subdivision (d)(3)(E), "TennCare costs" means the quotient of a facility's cost-to-charge ratio, calculated as B(3) (total expenses) divided by A(3)(e) (total gross patient charges) from Schedule E of the 2021 JAR, times TennCare charges. The amount of the payment to covered hospitals must be no less than forty and eight-tenths percent (40.8%) of unreimbursed TennCare costs for all hospitals licensed by the state that reported TennCare charges and revenue and total expenses on the 2021 JAR, excluding state-owned hospitals;

(4) In addition to the items and expenditures set forth in subdivisions (d)(1)-(3), other programs and initiatives developed by the bureau, in consultation with the Tennessee Hospital Association, to offset the unreimbursed costs of providing services to TennCare enrollees and the financial consequences of the public health emergency. The state portion of the funding for programs and initiatives developed under this subdivision must be used to obtain federal matching funds to raise funds up to three hundred fifty million dollars (\$350,000,000);

(5) Refunds, in proportion to the amount paid in, to covered hospitals based on:

(A) The payment of annual coverage assessments or penalties to the bureau through error, mistake, or a determination that the annual coverage assessment was invalidly imposed; or

(B) Circumstances where the bureau, in consultation with the Tennessee Hospital Association, has determined a lower coverage assessment would have been required to carry out the purposes of subdivisions (d)(1)-(4); and

(6) Payments authorized under rules promulgated by the bureau pursuant to § 71-5-2004(j)(2).

(e) The bureau shall modify the contracts with TennCare managed care organizations and otherwise take action necessary to assure the use and application of the assets of the maintenance of coverage trust fund, as described in subsection (d).

(f) The bureau shall submit requests to CMS to modify the medicaid state plan, the contractor risk agreements, and an applicable Section 1115 demonstration project, as necessary, to implement this part.

(g) At quarterly intervals beginning September 1, 2023, the bureau shall submit a report to the finance, ways and means committees of the senate and the house of representatives, to the health and welfare committee of the senate, to the health committee of the house of representatives, and to the legislative librarian. The report must include:

(1) The status, if applicable, of the determination and approval by CMS set forth in § 71-5-2003(b) of the annual coverage assessment;

(2) The balance of funds in the maintenance of coverage trust fund; and

(3) The extent to which the maintenance of coverage trust fund has been used to carry out this part.

(h) Notwithstanding another law, no part of the maintenance of coverage trust fund must be diverted to the general fund or used for a purpose other than as set forth in this part.

71-5-2006. Expiration of part – Survival of certain rights and obligations.

This part expires on July 1, 2024. However, the following rights and obligations survive the expiration:

(1) The authority of the bureau to impose late payment penalties and to collect unpaid annual coverage assessments and required refunds;

(2) The rights of a covered hospital or an association of covered hospitals to file a petition for declaratory order to determine compliance with this part;

(3) The existence of the maintenance of coverage trust fund and the obligation of the bureau to use and apply the assets of the maintenance of coverage trust fund; and

(4) The obligation of the bureau to implement and maintain the requirements of § 71-5-161.

71-5-2007. Audit of expenditure of funds from maintenance of coverage trust fund.

The comptroller of the treasury may audit the expenditure of funds pursuant to this part from the maintenance of coverage trust fund. At the discretion of the comptroller of the treasury, the audit may be prepared by a certified public accountant, a public accountant, or the department of audit. Notwithstanding § 71-5-2005, the bureau of TennCare and the maintenance of coverage trust fund must bear the full costs of the audit.

SECTION 2. Tennessee Code Annotated, Section 71-5-2005(d), is amended by adding the following new subdivision:

(7) Other programs and initiatives developed by the bureau in consultation with the Tennessee Hospital Association to offset the unreimbursed costs of providing services to TennCare enrollees and the financial consequences of the public health emergency. The state portion must be provided to obtain federal matching funds to produce up to a maximum payment of three hundred thirty-seven million forty thousand dollars (\$337,040,000) in hospital assistance.

SECTION 3. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code

Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 4. SECTION 2 of this act takes effect upon becoming a law, the public welfare requiring it. SECTION 1 and SECTION 3 of this act take effect June 30, 2023, at 11:59 p.m., the public welfare requiring it.

On motion, Insurance Committee Amendment No. 1 was adopted.

Rep. Hazlewood moved that **House Bill No. 152**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, Garrett, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--92

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

***House Bill No. 623** -- Real Property - As introduced, specifies that a seller of residential property is required to disclose the presence of a known sinkhole on the property prior to entering into a contract with a buyer regardless of whether the sinkhole is indicated through the contour lines on the property's recorded plat map. - Amends TCA Title 56 and Title 66. by *Jernigan, *Reedy, *Lynn, *Clemmons, *Thompson, *Helton-Haynes. (SB658 by *Pody)

Rep. Jernigan moved that **House Bill No. 623** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons,

Cochran, Crawford, Darby, Davis, Dixie, Eldridge, Faison, Freeman, Fritts, Gant, Garrett, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--89

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Hazlewood

REGULAR CALENDAR, CONTINUED

***House Bill No. 68** -- Local Education Agencies - As introduced, requires LEAs to conduct summer learning camps and after-school learning mini-camps annually instead of only in the summers immediately following the 2020-2021 and 2021-2022 school years; revises the definition of "priority student" to allow additional "at-risk" children and students entering certain grade levels to participate in after-school learning mini-camps, learning loss bridge camps, and summer learning camps. - Amends TCA Title 49, Chapter 6, Part 15. by *Lamberth, *Cochran, *Haston, *Cepicky, *White, *Moody, *Parkinson, *Hurt, *Slater, *Hakeem, *Wright. (SB249 by *Johnson, *Haile, *Akbari, *Hensley, *Stevens)

Rep. Lamberth moved that **House Bill No. 68** be reset for the Regular Calendar on March 23, 2023, which motion prevailed.

House Bill No. 209 -- Sunset Laws - As introduced, extends the department of safety to June 30, 2027. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Ragan, *Hardaway, *Crawford. (*SB43 by *Roberts, *Bowling)

On motion, House Bill No. 209 was made to conform with **Senate Bill No. 43**; the Senate Bill was substituted for the House Bill.

Rep. Ragan moved that **Senate Bill No. 43** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Eldridge, Faison, Freeman, Fritts, Gant, Grills,

Hakeem, Hale, Hardaway, Harris, Hawk, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--89

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 43** and have this statement entered in the Journal: Rep. Jones.

REGULAR CALENDAR, CONTINUED

House Bill No. 230 -- Sunset Laws - As introduced, extends the Tennessee public charter school commission to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 13. by *Ragan, *White. (*SB64 by *Roberts)

On motion, House Bill No. 230 was made to conform with **Senate Bill No. 64**; the Senate Bill was substituted for the House Bill.

Rep. Ragan moved that **Senate Bill No. 64** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	61
Noes.....	21
Present and not voting.....	7

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Campbell S, Capley, Carringer, Cepicky, Cochran, Davis, Doggett, Eldridge, Fritts, Gant, Garrett, Grills, Hawk, Helton-Haynes, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Kumar, Lafferty, Lamberth, Leatherwood, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--61

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Shaw, Thompson, Towns--21

Representatives present and not voting were: Butler, Carr, Crawford, Darby, Hale, Hicks G, Vaughan--7

A motion to reconsider was tabled.

***House Bill No. 87** -- Traffic Safety - As introduced, increases, from \$50 to \$100, the minimum fine for second and subsequent violations of the offense of failure to attach a trailer, semitrailer, or pole trailer to a towing vehicle by a chain. - Amends TCA Title 4; Title 47; Title 54; Title 55; Title 56; Title 65 and Title 66. by *Marsh, *Ragan. (SB1337 by *Bailey)

Rep. Marsh moved that House Bill No. 87 be passed on third and final consideration.

Rep. Howell moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 87 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 66-19-103(b), is amended by deleting the subsection and substituting instead:

(b) As used in this section:

(1) "Garagekeeper" means an operator of a parking place or establishment, motor vehicle storage facility, or establishment for the servicing, repair, or maintenance of vehicles; and

(2) "Rental vehicle company" means a person or entity, or a subsidiary or affiliate of the person or entity, including a franchisee, in the business of renting vehicles to the public.

SECTION 2. Tennessee Code Annotated, Section 66-19-103, is amended by deleting "rental company" in subdivisions (a)(1)(B) and (a)(3) and substituting instead "rental vehicle company".

SECTION 3. Tennessee Code Annotated, Section 66-19-103(c), is amended by deleting the subsection and substituting instead:

(c) A person, firm, or entity shall not have a right to a lien on a vehicle that has been towed in violation of title 55, chapter 16. If the owner of the vehicle is not present, then within fifteen (15) minutes of a person, firm, or entity towing the vehicle pursuant to this chapter, the person, firm, or entity shall notify local law enforcement of the vehicle identification number (VIN), registration information, license plate number, and description of the vehicle. A violation of this notification requirement by a person, firm, or entity is a Class A misdemeanor. Local law enforcement shall keep a record of that information, which must be available for public inspection.

SECTION 4. Tennessee Code Annotated, Section 55-16-105, is amended by:

(1) Deleting "notify by registered mail, return receipt requested," in subsection (a) and substituting instead "notify by registered mail, return receipt

requested, or by overnight delivery using a nationally recognized carrier with proof of delivery,";

(2) Deleting "sent by registered or certified mail, return receipt requested," in subsection (b) and substituting instead "sent by registered or certified mail, return receipt requested, or by overnight delivery using a nationally recognized carrier with proof of delivery,";

(3) Deleting "by registered mail" in subsection (c) and substituting instead "by registered mail or overnight delivery"; and

(4) Deleting "by mail" in subdivision (g)(2) and substituting instead "by mail or overnight delivery".

SECTION 5. Tennessee Code Annotated, Section 55-16-105(f), is amended by deleting the first and second sentences and substituting instead:

If an employee of a public agency, a towing company contracting with a public agency, or a towing company authorized to tow by a private property owner or the private property owner's authorized agent, takes possession of a vehicle found abandoned, immobile, or unattended, then an employee of the agency shall verify ownership through the Tennessee Information Enforcement System (TIES) and shall place the ownership information on the towing sheet or form. The agency shall also provide the ownership information to a towing company or garagekeeper with whom the agency has a contract or to a towing company authorized to tow by a private property owner or private property owner's authorized agent, as applicable.

SECTION 6. Tennessee Code Annotated, Section 55-16-105(g)(1), is amended by deleting the subdivision and substituting instead:

(1) In addition to the notification requirements of subsection (a), a garagekeeper or towing firm, which has in its possession an abandoned, immobile, or unattended motor vehicle taken into custody by a police department or authorized by a private property owner or the private property owner's authorized agent to be towed, and in whose possession the vehicle was lawfully placed by the police department or authorized to be placed by a private property owner or the private property owner's authorized agent, shall, within three (3) business days after the motor vehicle is taken into its possession, verify ownership of the motor vehicle pursuant to subsection (f). The garagekeeper or towing firm shall, within three (3) business days after receiving verification of ownership, provide notice to the last known registered owner of the motor vehicle and all lienholders of record. The notification requirements included in subsection (a) apply to the notice required to be provided by a garagekeeper or towing firm pursuant to this subdivision (g)(1).

SECTION 7. Tennessee Code Annotated, Section 55-23-103(a), is amended by deleting the language "towing motor vehicles by wrecker or otherwise and the storing of these motor vehicles" and substituting instead the language "towing motor vehicles by wrecker or otherwise or the storing of these motor vehicles".

SECTION 8. Section 3 of this act takes effect July 1, 2023, the public welfare requiring it, and applies to vehicles towed or taken into storage on or after July 1, 2023. All remaining sections of this act take effect upon becoming a law, the public welfare requiring it, and apply to vehicles towed or taken into storage on or after such date.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Marsh moved that **House Bill No. 87**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, Garrett, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--90

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep. Glynn was recorded as being present in the Chamber.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Bulso

REGULAR CALENDAR, CONTINUED

House Bill No. 1342 -- Economic and Community Development - As introduced, in order to be designated as a "broadband ready community" by the department of economic and

community development, requires a political subdivision to adopt an ordinance or policy for reviewing applications and issuing permits related to projects relative to broadband services that includes a provision that all applications related to a project will be reviewed and either approved or denied within 20 business days, instead of 30 business days, after the application is submitted. - Amends TCA Title 4 and Title 50. by *Sexton, *Vital, *Vaughan, *Alexander, *Hardaway, *Zachary, *Russell, *Gant, *Ragan, *Moody, *Helton-Haynes, *Littleton, *Hicks T, *Williams, *Martin B, *Grills, *Garrett, *Powers, *Cepicky, *Howell, *Todd. (*SB650 by *Johnson)

Rep. Vaughan moved that House Bill No. 1342 be passed on third and final consideration.

Rep. Bricken moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1342 by deleting all language after the caption and substituting:

WHEREAS, Tennessee, as part of its economic development policy, has the right to set terms and conditions in connection with the awarding of economic development incentives; and

WHEREAS, Tennessee, as part of its economic development policy, seeks to play an integral role in the formulation of economic opportunities, conditions of grants, and general management of compliance with such awards for monies; and

WHEREAS, Tennessee will oftentimes, as part of awarding economic development incentives, oversee compliance with land use regulations, including management of the subdivision of property; offer and provide water and wastewater services; require fire protection systems and mechanical systems for buildings and structures; approve capital grants; and ensure such monies are approved by the State Building Commission; and

WHEREAS, Tennessee will oftentimes, as part of awarding economic development incentives, also require a private business to hire a certain number of new full-time employees, require a specific amount of company investment, and ensure workers obtain certain skills and knowledge; and

WHEREAS, Tennessee, as part of its economic development policy, has a vested interest in seeking to advance and preserve its own interest in projects receiving economic development incentives as a financier of projects contributing to the State's overall economic health; and

WHEREAS, it is the intent of the General Assembly, as part of its economic development policy, that whenever State funds or benefits are sought by a private business, that such benefits are conditioned on the private business agreeing not to waive its employees' right to a secret ballot election when recognizing a labor organization as a bargaining unit or requiring subcontractors to waive their employees' right to a secret ballot election; and

WHEREAS, it is the intent of the General Assembly that whenever State funds or benefits are provided or awarded to a private business, the private business, or subcontractors working on a project receiving State funds or benefits, shall not voluntarily disclose employee personal contact information to a labor organization without an employee's prior consent; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 7, is amended by adding the following as a new section:

4-3-729.

(a) This section is known and may be cited as the "Employee Free Choice and Privacy Act."

(b) As used in this section:

(1) "Economic development incentive" means a FastTrack job training grant and economic development grant authorized under this part or capital grant authorized under chapter 15 of this title for economic development purposes provided to an employer to attract or retain the employer's physical presence in this state;

(2) "Employee" means an individual who performs services for an employer for wages that are subject to withholding requirements under 26 U.S.C. § 3402;

(3) "Employer" means a business entity that voluntarily pursues economic development incentives authorized under this title or enters into an agreement with this state for the purpose of receiving those incentives;

(4) "Labor organization" has the same meaning as defined in 29 U.S.C. § 152;

(5) "Personal contact information" means an employee's home address, home or personal cell phone number, or personal email address;

(6) "Secret ballot election" means a process conducted by the national labor relations board (NLRB) in which an employee casts a secret ballot for or against labor organization representation; and

(7) "Subcontractor" means an individual or entity that has contracted with the employer to perform work or provide services.

(c)

(1) In order to be eligible for an economic development incentive, an employer shall not:

(A) Grant recognition rights for employees solely and exclusively on the basis of signed union authorization cards if the selection of a bargaining representative may instead be conducted through a secret ballot election conducted by the national labor relations board (NLRB);

(B) Voluntarily disclose an employee's personal contact information to a labor organization, or third party acting on behalf of a labor organization, without the employee's prior written consent, unless otherwise required by state or federal law; or

(C) Require a subcontractor performing work for or providing services to the employer to engage in activities prohibited in subdivision (c)(1)(A) or (c)(1)(B).

(2) The prohibitions set out in subdivision (c)(1) apply to any work or service for the employer on the project for which the economic incentive is provided.

(d) A person or entity may report, based upon a reasonable belief, a suspected violation of subdivision (c)(1) to the department of labor and workforce development. Upon receiving a report pursuant to this subsection (d), the department of labor and workforce development shall investigate whether a violation has occurred. If, upon conclusion of the investigation, the department of labor and workforce development finds that an employer has violated subdivision (c)(1), then the department shall provide written notice to the department of economic and community development.

(e) If the department of economic and community development receives written notice pursuant to subsection (d), then the department of economic and community development shall deliver written notice to the employer informing the employer of the results of the investigation and to the office of the attorney general and reporter to initiate proceedings to recover any funds pursuant to § 4-3-731(f).

SECTION 2. Tennessee Code Annotated, Section 4-3-731, is amended by adding the following as a new subsection:

(f) Notwithstanding another law to the contrary, prior to contracting to award an economic development incentive, as defined in § 4-3-739(b), the department of economic and community development must execute a separate agreement with the recipient of the incentive that reserves the right of the department to recover the amount of money, grants, funds, or other incentives disbursed by the department, in whole or in part, if the recipient benefitting from such money, grants, funds, or other incentives fails to comply with § 4-3-739(c).

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it, and applies to contracts executed, renewed, or otherwise modified on or after the effective date of this act.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Marsh moved the previous question, which motion prevailed by the following vote:

Ayes	69
Noes.....	22

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Burkhardt, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Fritts, Gant, Garrett, Grills, Hale, Hawk, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--69

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Shaw, Thompson, Towns--22

Rep. Vaughan moved that **House Bill No. 1342**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	68
Noes.....	22

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Burkhardt, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Fritts, Gant, Garrett, Grills, Hawk, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--68

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Shaw, Thompson, Towns--22

A motion to reconsider was tabled.

***House Bill No. 448** -- State Government - As introduced, requires governmental entities to provide a period of public comment for public meetings; authorizes the governmental entities to place reasonable restrictions on the period for public comment. - Amends TCA Title 8, Chapter 44, Part 1. by *Davis. (SB551 by *Lowe)

Rep. Lamberth moved that **House Bill No. 448** be reset for the Regular Calendar on March 23, 2023, which motion prevailed.

***House Bill No. 144** -- Criminal Offenses - As introduced, changes from 25 to 17 the number of days of incarceration a person convicted of a second offense of driving under the influence of an intoxicant must serve before the person can participate in a substance abuse treatment program; requires a person charged with or convicted of a third or subsequent offense of driving under the influence of an intoxicant involving the use of alcohol to wear a transdermal alcohol monitoring device for a 90-day period of continuous sobriety. - Amends TCA Title 39; Title 40 and Title 55. by *Lamberth, *Sherrell, *Hardaway, *Whitson, *Gant, *Wright, *Ragan, *Eldridge, *Todd. (SB328 by *Haile, *Yager)

On motion, House Bill No. 144 was made to conform with **Senate Bill No. 328**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that Senate Bill No. 328 be passed on third and final consideration.

Rep. Hulsey moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Baum moved that Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Lamberth moved that **Senate Bill No. 328** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes.....	0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, Garrett, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--91

A motion to reconsider was tabled.

***House Bill No. 805** -- Consumer Protection - As introduced, extends the prohibitions, requirements, and penalties that apply to telephone solicitations to text message solicitations. - Amends TCA Title 65, Chapter 4. by *Lamberth, *Boyd, *Martin G, *Raper, *Russell, *Wright, *Slater, *Todd, *Hale, *Eldridge, *Moody, *Littleton, *Davis, *Howell, *Cepicky, *Garrett, *Clemmons, *Powers. (SB868 by *Reeves, *White)

On motion, House Bill No. 805 was made to conform with **Senate Bill No. 868**; the Senate Bill was substituted for the House Bill.

THURSDAY, MARCH 16, 2023 – FIFTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Lamberth moved that Senate Bill No. 868 be passed on third and final consideration.

Rep. Vaughan moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Baum moved that Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Lamberth moved that **Senate Bill No. 868** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, Garrett, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Helton-Haynes, Hemmer, Hicks G, Hicks T, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--90

A motion to reconsider was tabled.

***House Bill No. 418** -- Judges and Chancellors - As introduced, removes provisions that allow parties in certain civil cases to agree to employ a retired or former judge to hear the case and provide for the process and manner of trial. - Amends TCA Title 17, Chapter 2, Part 1. by *Stevens, *Garrett, *Russell, *Fritts. (SB483 by *Stevens, *Lowe)

On motion, House Bill No. 418 was made to conform with **Senate Bill No. 483**; the Senate Bill was substituted for the House Bill.

Rep. Stevens moved that **Senate Bill No. 483** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, Garrett,

Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--90

A motion to reconsider was tabled.

***House Bill No. 337** -- Estates - As introduced, requires an affiant who seeks a small estate affidavit limited letter of authority to pay a bond equal to the value of the decedent's estate to the court clerk, with the estate named as the beneficiary, instead of to the state; makes various other changes to the Small Estate Affidavit Limited Letter of Authority Act. - Amends TCA Title 30, Chapter 4. by *Stevens. (SB489 by *Stevens)

Rep. Stevens moved that House Bill No. 337 be passed on third and final consideration.

Rep. Russell moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 337 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 30, Chapter 4, is amended by deleting the chapter and substituting:

30-4-101.

This chapter is known and may be cited as "The Small Estate Probate Act."

30-4-102.

As used in this chapter, unless the context clearly requires otherwise:

(1) "Court" means the court then exercising probate jurisdiction in the county in which the decedent had legal residence on the date of death;

(2) "Decedent" means a person who is deceased;

(3) "Limited letters" means the limited letters of administration of a small estate and limited letters testamentary of a small estate, as appropriate;

(4) "Limited letters of administration of a small estate" means limited letters of administration for the decedent's property that restrict the

person to whom the limited letters of administration are issued to the property itemized and identified in the petition for the limited letters, which must be attached to and made a part of the limited letters;

(5) "Limited letters testamentary of a small estate" means limited letters testamentary for the decedent's property that restrict the person to whom the limited letters testamentary are issued to the property itemized and identified in the petition for the limited letters which must be attached to and made a part of the limited letters;

(6) "Person" means an individual, partnership, firm, business trust, corporation, or other legal entity, and includes both the singular and plural, and the masculine and feminine, as appropriate;

(7) "Personal representative" means the person to whom limited letters of administration of a small estate or limited letters testamentary of a small estate are issued;

(8) "Property" means only personal property, or any interest in personal property, owned by the decedent on the date of death that would be subject to probate, other than personal property held as tenants by the entirety or jointly with right of survivorship, or personal property payable to a beneficiary other than the decedent's estate; and

(9) "Small estate" means the probate estate of a decedent in which the value of the probate property does not exceed fifty thousand dollars (\$50,000).

30-4-103.

Whenever a decedent leaves a small estate, it may be administered in the following manner:

(1) After the expiration of forty-five (45) days from the date of the decedent's death, as evidenced by a copy of the decedent's death certificate, provided that no petition for the appointment of a personal representative of the decedent's estate has been filed in that period of time for the decedent's estate, either:

(A) One (1) or more of the decedent's competent adult heirs shall file a petition for the issuance of limited letters of administration of a small estate; or

(B) If the decedent died testate and it is determined that distribution of the small estate pursuant to the decedent's will is different than distribution by intestate distribution, and it is desired that the small estate be distributed according to the decedent's will, the person named as the personal representative in the decedent's will shall either:

(i) File a petition for the probate of the decedent's will as a muniment of title to the property of the decedent pursuant to § 32-2-111 and for the issuance of limited letters testamentary of a small estate; or

(ii) File the original of the decedent's will together with affidavits of the attesting witnesses or the affidavits of the two (2) disinterested persons attesting to the decedent's handwriting, if the decedent's will is holographic, with the clerk who shall record the will and affidavits. The recording of the decedent's will and accompanying affidavits is deemed sufficient to probate the decedent's will for the purposes of this chapter;

(2) To apply for limited letters of administration of a small estate or for limited letters testamentary of a small estate, the person seeking the limited letters shall file a sworn petition with the court containing the information set forth in § 30-1-117(a)(1)-(10). The petition must include an itemized list of the property of the decedent to which the limited letters are to apply, the value of each item of property, the identity of each creditor of the decedent, and the amount owing to each identified creditor;

(3) Regardless of the language of the decedent's will waiving bond, the petitioner for the limited letters shall make the bond payable to the clerk of the court for the benefit of those entitled with a corporate surety. The amount of the bond must be equal to the value of the decedent's property to be administered under this chapter. However, bond is not required of the petitioner if:

(A) The petitioner or petitioners are the sole heirs of the intestate decedent;

(B) The petitioner or petitioners are the sole beneficiaries of the testate decedent; or

(C) All the adult heirs and beneficiaries consent in writing;

(4) The clerk shall charge and receive such fees for processing a petition for the issuance of limited letters of administration of a small estate or limited letters testamentary of a small estate as provided in § 8-21-401;

(5) Upon posting the required bond, unless waived as set forth in subdivision (3), the clerk shall issue limited letters of administration of a small estate or limited letters testamentary of a small estate, as appropriate, on the form in subdivision (9);

(6) A notice to creditors must not be published, and a creditor is not permitted to file a claim in a small estate probate;

(7) The personal representative and the surety on the personal representative's bond may be discharged from liability under the bond as follows:

(A) The court may enter an order discharging the personal representative and the surety on the personal representative's bond after the personal representative files, for a decedent dying before January 1, 2016, either the tax receipt issued pursuant to § 67-8-420, or the certificate or assessment issued pursuant to § 67-8-409(f); or

(B) The personal representative and the surety on the personal representative's bond may wait until the first anniversary of the issuance of the limited letters when the court shall automatically discharge them from liability. The limited letters must remain open and active until the first anniversary of the issuance of the limited letters;

(8) Upon good cause shown, the court may waive the requirement to wait forty-five (45) days before filing a petition for limited letters; and

(9) The form for issuance of limited letters of administration of a small estate or limited letters testamentary of a small estate must be as follows:

Limited Letters of Administration/Limited Letters Testamentary of a Small Estate

Pursuant to T.C.A. § 30-4-101, et seq.

As such, Limited Letters of Administration/Letters Testamentary of a Small Estate are hereby issued to the above-named individual being now therefore empowered to collect and preserve all assets of the estate, remove any personal property from a property leased by the decedent, and cancel any insurance policies no longer applicable due to decedent's death. Said assets are limited to those itemized in the Petition, a copy of which is attached hereto. The total value of decedent's property shall not exceed \$50,000.00.

There is no real property at issue in this matter, and this limited letter in no way gives any authority to the personal representative to handle any real estate matters of the decedent.

In witness whereof, I have issued these Limited Letters of Administration/Limited Letters Testamentary.

I swear that all statements in the Small Estate documents I have executed and provided are true and accurate. I do solemnly swear or affirm that I will faithfully and honestly discharge the duties imposed upon me and as required by law.

I, as Clerk, certify that these Letters are in full force and effect as of this date of issuance.

30-4-104.

(a) Each person indebted to the decedent's estate, having possession of any property belonging to the estate, or acting as registrar or transfer agent of any shares of stocks, bonds, notes, or other evidence of ownership, indebtedness, or right belonging to the decedent's estate must be furnished with a copy of the limited letters of administration of a small estate or limited letters testamentary of a small estate by the personal representative, duly certified by the clerk of the court. Upon receipt of a copy of the limited letters of administration of a small estate or limited letters testamentary of a small estate and demand by the personal representative, each person furnished a copy of the limited letters under this subsection (a) shall pay, transfer, and deliver to the personal representative:

(1) All indebtedness owing by the recipient; and

(2) Other property in possession of, or subject to, registration or transfer by the recipient.

(b) A person making payment, transfer, or delivery of property belonging to a decedent's estate to the personal representative pursuant to this chapter is released and discharged from all further liability to the estate and its creditors to the same extent as if the payment, transfer, or delivery were made to the duly appointed, qualified, and acting personal representative of the decedent. The person making the payment, transfer, or delivery shall not be required to see to its application.

(c) The decedent's property must be distributed either to the decedent's heirs as provided by law or, if there is a will, in accordance with the terms of the decedent's will admitted to probate as a muniment of title or filed with the clerk as provided in § 30-4-103(1)(B)(ii). The person to whom payment, transfer, or delivery of any property of the decedent is made by the personal representative shall be liable and remain liable up to one (1) year from the date of payment, transfer, or delivery, to the extent of the value of the property received, to unpaid creditors of the decedent, to anyone who had a prior right to the decedent's property, or to any personal representative of the decedent thereafter appointed. If distribution is made prior to payment of all medical assistance owed to TennCare under § 71-5-116, then both the personal representative and the person to whom payment, transfer, or delivery is made by the personal representative shall be liable to TennCare and remain liable, to the extent of the value of the property received.

(d) If a person having possession of any of the decedent's property, upon receipt of a copy of the limited letters issued by the clerk, refuses to pay, transfer, or deliver the property to, or at the direction of, the personal representative, then:

(1) The property may be recovered; or

(2)

(A) Transfer and delivery of the property may be compelled in an action brought in a court of competent jurisdiction for that purpose upon proof of the facts required to be stated in the petition; and

(B) Costs of the proceeding must be adjudged against the person wrongfully refusing to pay, transfer, or deliver the property.

(e) If, during the administration of the small estate pursuant to the limited letters, the personal representative or a creditor of the decedent discovers additional assets that exceed the statutory small estate limitation, then the court may allow the small estate administration to be converted into probate administration by application of a verified petition to the court pursuant to § 30-1-117 by the personal representative of the small estate or a creditor of the decedent. The personal representative of the small estate, if the property of the decedent has not been paid, transferred, or delivered, or the person or persons to whom the property of the decedent has been paid, transferred, or delivered, is liable for the assets that have been paid, transferred, or delivered prior to the conversion.

SECTION 2. This act takes effect upon becoming law, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Lamberth requested that House Bill No. 337 be moved down one item past item no. 20 on today's Regular Calendar, which motion prevailed.

House Bill No. 495 -- Physicians and Surgeons - As introduced, enacts the "Topical Medical Waste Reduction Act of 2023," which establishes certain regulations of facility-provided medications. - Amends TCA Title 53; Title 63 and Title 68. by *Martin B, *Terry, *Sherrell, *Towns, *Hardaway, *Helton-Haynes, *Todd, *Howell, *Whitson, *Beck. (*SB523 by *Jackson, *Reeves, *Bowling, *Hensley, *Powers)

On motion, House Bill No. 495 was made to conform with **Senate Bill No. 523**; the Senate Bill was substituted for the House Bill.

Rep. B. Martin moved that Senate Bill No. 523 be passed on third and final consideration.

Rep. Terry moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 523 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, is amended by adding the following as a new part:

68-11-2201. This part is known and may be cited as the "Topical Medical Waste Reduction Act of 2023."

68-11-2202. The general assembly finds that this part is necessary for the immediate preservation of the public welfare, health, and safety.

68-11-2203. As used in this part:

(1) "Facility" means a hospital operating room or hospital emergency room department;

(2) "Facility-provided medication" means a topical antibiotic, anti-inflammatory, dilation, or glaucoma drop or ointment that a facility employee has on standby or that is retrieved from a dispensing system for a specified patient for use during a procedure or visit; and

(3) "Prescriber" means an individual authorized by law to prescribe drugs.

68-11-2204. If a facility-provided medication is ordered at least twenty-four (24) hours in advance for surgical procedures and is administered to a patient at the facility, then an unused portion of the facility-provided medication may be offered to the patient upon discharge when it is required for continuing treatment.

68-11-2205. A facility-provided medication must be labeled consistent with labeling requirements under the Tennessee Pharmacy Practice Act of 1996, compiled in title 63, chapter 10, parts 2-5.

68-11-2206. If a facility-provided medication is used in an operating room or emergency department setting, then the prescriber shall counsel the patient on its proper use and administration and the requirement of pharmacist counseling is waived.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. B. Martin moved that **Senate Bill No. 523**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Burkhart, Butler, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, Garrett, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns,

Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--89

A motion to reconsider was tabled.

***House Joint Resolution No. 111** -- General Assembly, Confirmation of Appointment - Chris Tutor, Public Charter School Commission. by *Lamberth, *Leatherwood, *Cochran.

Further consideration of House Joint Resolution No. 111, previously considered on the Consent Calendar for March 13, 2023, at which time it was objected to and reset for today's Regular Calendar.

On motion, **Senate Joint Resolution No. 144** was substituted for House Joint Resolution No. 111.

Rep. Leatherwood moved that the House concur in **Senate Joint Resolution No. 144**, which motion prevailed by the following vote:

Ayes	65
Noes.....	20
Present and not voting.....	4

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Davis, Doggett, Eldridge, Faison, Fritts, Gant, Garrett, Grills, Hale, Hawk, Helton-Haynes, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--65

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Glynn, Hakeem, Hardaway, Harris, Hemmer, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Shaw, Thompson, Towns--20

Representatives present and not voting were: Crawford, Darby, Hicks G, Whitson--4

A motion to reconsider was tabled.

***House Joint Resolution No. 112** -- General Assembly, Confirmation of Appointment - Alan Levine, Public Charter School Commission. by *Lamberth, *Cochran, *Hicks T.

Further consideration of House Joint Resolution No. 112, previously considered on the Consent Calendar for March 13, 2023, at which time it was objected to and reset for today's Regular Calendar.

On motion, **Senate Joint Resolution No. 145** was substituted for House Joint Resolution No. 112.

Rep. Lamberth moved that the House concur in **Senate Joint Resolution No. 145**, which motion prevailed by the following vote:

Ayes	64
Noes.....	19
Present and not voting.....	4

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Davis, Doggett, Eldridge, Faison, Fritts, Gant, Garrett, Grills, Hawk, Helton-Haynes, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--64

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Glynn, Hakeem, Hardaway, Harris, Hemmer, Johnson G, Jones, McKenzie, Miller, Mitchell, Parkinson, Shaw, Thompson, Towns--19

Representatives present and not voting were: Darby, Hale, Hicks G, Whitson--4

A motion to reconsider was tabled.

***House Joint Resolution No. 113** -- General Assembly, Confirmation of Appointment - Michael Carter Sr., Public Charter School Commission. by *Lamberth, *Cochran, *McCalmon.

Further consideration of House Joint Resolution No. 113, previously considered on the Consent Calendar for March 13, 2023, at which time it was objected to and reset for today's Regular Calendar.

On motion, **Senate Joint Resolution No. 146** was substituted for House Joint Resolution No. 113.

Rep. McCalmon moved that the House concur in **Senate Joint Resolution No. 146**, which motion prevailed by the following vote:

Ayes	66
Noes.....	15
Present and not voting.....	5

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Davis, Doggett, Eldridge, Faison, Fritts, Gant, Garrett, Grills, Hawk, Helton-Haynes, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--66

THURSDAY, MARCH 16, 2023 – FIFTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting no were: Beck, Camper, Clemmons, Dixie, Glynn, Hakeem, Hardaway, Harris, Hemmer, Johnson G, McKenzie, Miller, Mitchell, Thompson, Towns--15

Representatives present and not voting were: Chism, Crawford, Darby, Hale, Hicks G--5

A motion to reconsider was tabled.

***House Bill No. 758** -- Consumer Protection - As introduced, specifies that it is an unfair or deceptive act to issue or deliver a home service contract to a consumer in this state that does not specify the merchandise and services to be provided, and any applicable limitations, exceptions, or exclusions of the contract. - Amends TCA Section 47-18-104. by *Eldridge. (SB1005 by *Yager, *Bowling)

Further consideration of House Bill No. 758, previously considered on the Consent Calendar for March 13, 2023, at which time it was objected to and reset for today's Regular Calendar.

On motion, House Bill No. 758 was made to conform with **Senate Bill No. 1005**; the Senate Bill was substituted for the House Bill.

Rep. Eldridge moved that **Senate Bill No. 1005** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	77
Noes.....	12

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Chism, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, Garrett, Glynn, Grills, Hakeem, Hale, Hawk, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--77

Representatives voting no were: Beck, Camper, Clemmons, Dixie, Hardaway, Harris, Johnson G, Jones, Mitchell, Parkinson, Thompson, Towns--12

A motion to reconsider was tabled.

***House Bill No. 1541** -- Rutherford County - Subject to local approval, increases membership of the county board of juvenile detention commissioners from four to six. - Amends Chapter 65 of the Private Acts of 2022. by *Stevens, *Terry, *Sparks, *Baum, *Rudd. (SB1530 by *Reeves)

Further consideration of House Bill No. 1541, previously considered on the Consent Calendar for March 13, 2023, at which time it was objected to and reset for today's Regular Calendar.

Rep. Stevens moved that **House Bill No. 1541** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, Garrett, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--90

A motion to reconsider was tabled.

***House Bill No. 338** -- Estates - As introduced, allows a copy of a will, portions of a will, or letters of administration to be sent to beneficiaries and residuary distributees by electronic mail in addition to first class mail or personal delivery. - Amends TCA Title 20; Title 30; Title 32 and Title 35. by *Stevens, *Barrett. (SB478 by *Stevens)

Further consideration of House Bill No. 338, previously considered on the Consent Calendar for March 13, 2023, at which time it was objected to and reset for today's Regular Calendar.

Rep. Stevens moved that **House Bill No. 338** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, Garrett, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--89

A motion to reconsider was tabled.

***House Bill No. 337** -- Estates - As introduced, requires an affiant who seeks a small estate affidavit limited letter of authority to pay a bond equal to the value of the decedent's estate to the court clerk, with the estate named as the beneficiary, instead of to the state; makes various other changes to the Small Estate Affidavit Limited Letter of Authority Act. - Amends TCA Title 30, Chapter 4. by *Stevens. (SB489 by *Stevens)

Further consideration of House Bill No. 337, previously considered on today's Regular Calendar, at which time the House adopted Amendment No. 1.

Rep. Stevens moved that **House Bill No. 337**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, Garrett, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--90

A motion to reconsider was tabled.

Senate Bill No. 255 -- Education - As introduced, updates the terms "general education development credential," "high school equivalency test," and variations of the terms to "high school equivalency credential." - Amends TCA Title 2; Title 4; Title 8; Title 36; Title 37; Title 38; Title 40; Title 41; Title 49; Title 50; Title 54; Title 55; Title 62; Title 63 and Title 68. by *Johnson, *Stevens. (*HB74 by *Lamberth, *Cochran, *Raper, *Ragan, *Eldridge, *Jernigan)

Further consideration of Senate Bill No. 255, previously considered on March 13, 2023, at which time the House substituted the Senate Bill for the House Bill and withdrew Amendment No. 1.

Rep. Raper moved that **Senate Bill No. 255** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Freeman, Fritts, Gant, 908

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Garrett, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton-90

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Terry, **House Joint Resolution No. 458** was recalled from the House and withdrawn from the House.

RULES SUSPENDED

Rep. Beck moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 340 out of order, which motion prevailed.

***Senate Joint Resolution No. 340** -- Memorials, Recognition - St. Patrick's Day. by *Yarbro, *Akbari, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Massey, *Niceley, *Oliver, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Stevens, *Swann, *Taylor, *Walley, *Watson, *White, *Yager, *McNally.

On motion of Rep. Beck, the resolution was concurred in.

A motion to reconsider was tabled.

MOTION TO RECONSIDER

***House Joint Resolution No. 330** -- Memorials, Recognition - Carol Evans. by *Wright, *Lafferty, *Carringer, *Davis, *Zachary, *Johnson G, *McKenzie.

Rep. Wright moved to lift from the table the motion to reconsider action in adopting House Joint Resolution No. 330, which motion prevailed.

Rep. Wright moved to reconsider action in adopting House Joint Resolution No. 330, which motion prevailed.

Rep. Wright moved to adopt House Joint Resolution No. 330.

Rep. Wright moved that all members of the Knox County delegation voting aye on House Joint Resolution No. 330 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the sponsor exclusion forms: Reps. Todd and Ragan.

On motion of Rep. Wright, the resolution was adopted.

A motion to reconsider was tabled.

MOTION TO RECONSIDER

***House Joint Resolution No. 352** -- Memorials, Retirement - Judge Cheryl A. Blackburn by *Clemmons.

Rep. Clemmons moved to lift from the table the motion to reconsider action in adopting House Joint Resolution No. 352, which motion prevailed.

Rep. Clemmons moved to reconsider action in adopting House Joint Resolution No. 352, which motion prevailed.

BILL WITHDRAWN

On motion of Rep. Clemmons, **House Joint Resolution No. 352** was withdrawn from the House.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 864** to be heard in the Cities and Counties Subcommittee next week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bills Nos. 674, 1046 and 1509** to be heard in the Property and Planning Subcommittee next week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bills Nos. 520, 433, 435, 784, 322, 36, 250, 251, 1088, 957, 959, 424, 786 and 276** to be heard in the Education Administration Committee next week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 606, 570, 37, 746, 1507, 1162, 1351 and 237** to be heard in the Civil Justice Subcommittee next week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 795** to be placed on the Special Calendar to be published with the Final Calendar in the Civil Justice Subcommittee next week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 944** to be heard in the Children and Family Affairs Subcommittee next week, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 99 Rep. Hulsey as prime sponsor.

House Joint Resolution No. 100 Rep. Hulsey as prime sponsor.

House Joint Resolution No. 192 Rep. G. Martin as prime sponsor.

House Joint Resolution No. 456 Rep. Richey as prime sponsor.

House Bill No. 68 Rep. Wright as prime sponsor.

House Bill No. 159 Reps. Crawford, T. Hicks and Sherrell as prime sponsors.

House Bill No. 321 Rep. Hale as prime sponsor.

House Bill No. 329 Rep. Sherrell as prime sponsor.

House Bill No. 424 Rep. Slater as prime sponsor.

House Bill No. 448 Reps. Fritts and Cepicky as prime sponsors.

House Bill No. 460 Rep. Stevens as prime sponsor.

House Bill No. 461 Rep. Stevens as prime sponsor.

House Bill No. 548 Rep. Russell as prime sponsor.

House Bill No. 726 Rep. Hawk as prime sponsor.

House Bill No. 785 Rep. T. Hicks as prime sponsor.

House Bill No. 818 Rep. Baum as prime sponsor.

House Bill No. 883 Reps. Moody, Littleton, McCalmon, Raper, Eldridge, B. Martin, Bulso, Moon, Powers, Bricken and Gant as prime sponsors.

House Bill No. 988 Rep. Hardaway as prime sponsor.

House Bill No. 1005 Rep. Davis as prime sponsor.

House Bill No. 1040 Rep. Love as prime sponsor.

House Bill No. 1163 Rep. Sherrell as prime sponsor.

House Bill No. 1309 Rep. Lamberth as prime sponsor.

House Bill No. 1473 Rep. Hakeem as First prime sponsor.

House Bill No. 1509 Rep. Hakeem as First prime sponsor.

MESSAGE FROM THE GOVERNOR
March 16, 2023

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 55, 218, 219, 220, 221, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 318, 319, 320, 322, 323, 324, 325 and 326; with his approval.

ERIN MERRICK, Chief Counsel to the Governor

ENGROSSED BILLS
March 16, 2023

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 87, 150, 152, 337, 338, 623, 1342 and 1541; House Joint Resolutions Nos. 330, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423 and 424;

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS
March 16, 2023

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 34 and 35; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

SIGNED
March 16, 2023

The Speaker announced that he had signed the following: House Resolutions Nos. 34 and 35.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE GOVERNOR
March 16, 2023

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution No. 370; with his approval.

KAITLYN BROWN for ERIN MERRICK, Chief Counsel to the Governor

ROLL CALL

The roll call was taken with the following results:

Present..... 90

Representatives present were Alexander, Barrett, Baum, Beck, Boyd, Bricken, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Fritts, Gant, Garrett, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton -- 90

RECESS

On motion of Rep. Cochran, the House stood in recess until 5:00 p.m., Monday, March 20, 2023.